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at 3 p.m.

NEW YORK

President: Mr. INSANALLY
(Guyana)

The meeting was called to order at 3.30 p.m.

AGENDA ITEM 42 *(continued)*

THE SITUATION IN BOSNIA AND HERZEGOVINA: DRAFT RESOLUTION A/48/L.50

Mr. ANSARI (India): One of the greatest tragedies of modern times continues to unfold in the young Republic of Bosnia and Herzegovina. The stark images of death and destruction and the intolerable suffering of innocent civilians displaced by that most abominable practice of ethnic cleansing continue to haunt us. Hopes for a lasting peace have been dashed repeatedly. Tenuous cease-fire agreements between the feuding parties have been shattered by the familiar sound of gunfire, to a pattern that seems to belie the international community's hope for reconciliation.

It is therefore with a feeling of deep grief and of concern for the future of an independent and sovereign Member of the United Nations that I speak here today to express India's anguish at the fact that peace remains elusive in the Republic of Bosnia and Herzegovina.

Several attempts have been made to resolve the crisis in Bosnia and Herzegovina, but it appears that there are still major areas of difference with regard to borders, access to the sea, guarantees for peace, the status of Sarajevo and - even more fundamental - the very viability of the union.

Against this chequered backdrop, the decision, made by the three warring parties in Bosnia and Herzegovina on 29 November, to resume negotiations immediately, on the basis of a plan of action put forward by the 12 Foreign Ministers of the European Union, was a long-awaited and heartening development. Unfortunately, the latest round of talks in Geneva did not yield any concrete results, apart from an agreement on access for humanitarian convoys. If anything, the talks further highlighted the impasse and the wide gulf in the coagulated and often Delphic positions adopted by the parties.

The Bosnian people could have been spared further suffering in the harsh winter ahead if the leaders of the parties to the conflict had taken the bold steps necessary to bring peace to that land. This would have paved the way for all the people of the former Yugoslavia to re-establish normal political and economic relations with the international community and to concentrate on social and economic reconstruction.

India has always laid stress on the urgent need for the three communities to arrive at a common, irreversible political agreement to end the tragic conflict. We in India remain committed to the principle - a principle to which we were consistently committed during our term in the Security Council - that the gains made by aggression and by ethnic cleansing cannot be allowed to prevail in an eventual settlement. During India's term in the Security Council, we steadfastly supported the Council's efforts towards peace and dialogue in the former Yugoslavia - efforts including the establishment of the United Nations peace-keeping operation; the imposition of embargoes and sanctions; the admittance of the Republics, including the Republic of Bosnia and Herzegovina, as equal Members of

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the United Nations; and various other moves to condemn violations of international humanitarian law and impediments to the delivery of humanitarian assistance.

A settlement would have to be patently fair, reasonable and, above all, acceptable to the three communities alike. The nature of any settlement in Bosnia and Herzegovina would depend in very large measure on good will, good faith and a sense of give and take among the three communities. We also support the view that adjustments in the peace package could be considered by all three communities in the light of the principle that the union must be geographically, socially, economically and politically viable.

More important, we cannot permit any erosion of the concept of the sovereignty and territorial integrity of Member States. The Republic of Bosnia and Herzegovina is an equal member of this Assembly.

India believes that there is hope for a peacefully negotiated settlement. In the recent past there have been events that gave rise to anticipation and expectation, much like a silver lining to dark clouds. The three communities showed exemplary political will in successfully exchanging several batches of prisoners for the very first time in 18 months. Alas, these positive developments, which could have generated trust, could not be sustained and were quickly followed by the unravelling of a fragile peace in which even children and schools have not been spared.

The conflict in Bosnia and Herzegovina is in many ways a test case for the new role of the United Nations. One of the biggest peace-keeping operations of all times has been mounted in this region. India had the privilege of providing the first Force Commander of the United Nations Protection Force (UNPROFOR), whose members have exhibited the highest sense of patience, courage and indomitable will to strive for peace in the face of numerous setbacks, including loss of life. My Government is particularly concerned at the continuation of mindless attacks on humanitarian workers and UNPROFOR personnel. There cannot be any doubt that UNPROFOR's continued presence is very important for the region.

At the same time, some very relevant and precedent-setting questions about the future of UNPROFOR and the form and scope of international intervention will need to be addressed in the planning for the post-agreement stage. Any action taken by the Security Council, whether under Chapters VI, VII or VIII, should be carried out with circumspection and in the strictest conformity with Charter provisions. The character of the international presence required to implement a peace agreement in Bosnia and Herzegovina will doubtless have implications for future peace-keeping operations. The objectives of the proposed force, the resources available, the risks to personnel, the expected duration of the operation and, not least, the command and control aspect must be carefully examined. Such important questions must necessarily be addressed by the general membership with the seriousness they deserve.

India has traditionally enjoyed good relations with all the people of the Republic of Bosnia and Herzegovina. It is our earnest hope and desire to see the crisis and conflict speedily resolved in a political settlement through peaceful negotiations. India supports the strenuous and tireless efforts of the Co-Chairmen of the International Conference on the Former Yugoslavia towards this objective. The task is urgent. History will not forgive us if we allow this lamentable state of affairs to continue. Let us not forget that we all have a stake in the future of Bosnia and Herzegovina - nay, in the future of international peace and security.

Mr. ABDUL-GHAFFAR (Bahrain) *(interpretation from Arabic):* For over two years, the aggression against the Republic of Bosnia and Herzegovina has been intensifying despite its Government's efforts to reach a settlement that would establish peace and improve living conditions there. The aggressor's destruction of the country continues unabated in an alarming and dangerous fashion, as do the unprecedented crimes of genocide and the starving of civilians, to the extent that these crimes have become the hallmark of the aggression.

Though attempts have been made to end these excesses and contain the aggression, they have unfortunately failed to curb the aggressors. Sensing a lack of opposition, the latter may even have grown more intransigent and confident that the Security Council as it stands now is incapable of taking firm and decisive action against them. They have grown complacent in their conviction that force will not be used against them and that they can go on perpetrating the crimes of mass killings and "ethnic cleansing" with impunity.

What irks mankind's conscience is the international community's reluctance to bring pressure to bear on the Serbian aggressors when they rejected the Vance-Owen Peace Plan. Thus they have been encouraged in their aggression against Bosnian cities and towns, which in turn prompted militant Croatian elements to enter the conflict in brazen defiance of the international community and without consideration of its will.

The grotesque developments in Bosnia and Herzegovina show the true nature of the aggressors in their persistent breaches of their binding promises and obligations. This has been made clear in their violation of the sanctity of the six safe areas established under Security Council resolution 824 (1993) and in their flouting of the provisions of resolution 836 (1993). Their resolve and shameless way of dictating their will to the international community have been strengthened by their awareness of the Security Council's reluctance to take decisive action to deter their aggression and help the Government of Bosnia and Herzegovina to defend itself.

In our view, the position of the United Nations has sent the wrong message to the Serbian aggressors and has helped to support the extremist militants of Croatia in their massacres of civilians in central Bosnia and their destruction of Bosnian villages and towns. It has also led, directly and indirectly, to an implicit alliance between the Serbian forces and extremist Croatian elements, with a view to the partition of Bosnia and Herzegovina without regard for Security Council resolutions. The United Nations position has also encouraged them to continue to lay siege to Bosnian towns especially Sarajevo and the safe havens.

The current position of the Security Council towards the question of Bosnia and Herzegovina will not lead to stability there. To the contrary, the Council's failure to take firm action could promote violence and militancy, not only in Bosnia and Herzegovina but in other regions of the Balkans as well. This would have an adverse impact on the role of the United Nations in containing the current and potential conflicts.

In contrast to this negative position, it is the duty and historic responsibility of the international community to ensure the complete independence, national unity and territorial integrity of the Republic of Bosnia and Herzegovina. It should stand steadfastly in the face of aggression and preventing the crime of genocide and other crimes against humanity. It should also reject unreservedly the acquisition of territory by means of force and the policy of "ethnic cleansing".

We are in no doubt that the establishment of the International Tribunal to prosecute violators of international humanitarian law in the former Yugoslavia, pursuant to Security Council resolution 827 (1993), was an appropriate action, and will help restore peace and security in Bosnia and Herzegovina. While we consider this to be a step in the right direction, we hope the Tribunal will not be used for purely political purposes to put pressure on the victim to accept a *fait accompli* or to wreak vengeance on the victim and permit the aggressors to reap the benefits of their aggression.

With the onset of winter, we call upon the Security Council to prevent the exacerbation of an already grave situation in Bosnia and Herzegovina and to ensure the safe flow of humanitarian assistance to Bosnian cities and villages. The Council should compel Serb forces to withdraw their heavy weapons from the Sarajevo area and should deploy UNPROFOR units in the areas evacuated by the Serbs. Heavy weapons should also be withdrawn from the environments of the safe areas.

My delegation stresses the right of the Republic of Bosnia and Herzegovina, as a State Member of the United Nations, to enjoy, like all other Member States, all the rights set forth in the Charter of the United Nations, including the right of self-defence under Article 51. The United Nations must tirelessly and immediately make every effort to put an end to the aggression in Bosnia and Herzegovina, lest history judge that the international community sided with the aggressor against the victim.

Mr. SUCHARIPA (Austria): A year has passed since the General Assembly last discussed the situation in Bosnia and Herzegovina. In these 12 months the situation has certainly not improved, but rather has deteriorated dramatically. Despite intensive and ongoing efforts, in particular within the framework of the International Conference on the Former Yugoslavia, an end to the fighting has not been brought about, and the prospects for a just and lasting result from the intermittent negotiating process are still more than unclear. In the last few months alone, the war in Bosnia and Herzegovina has caused thousands of casualties and the destruction of entire towns and villages. Hundreds of thousands of civilians have been forced to flee their homes.

With the onset of winter, a winter expected to be hard and long, the tragedy of the civilian population is likely to become a humanitarian disaster of the most horrible dimensions, as 2.7 million people in Bosnia and Herzegovina depend upon humanitarian assistance; many of them are threatened by starvation and exposure. In the absence of peace, therefore, the international community has to give priority to humanitarian assistance and to secure access for deliveries to the affected areas. In that context, I want to express my delegation's highest appreciation to United Nations High Commissioner for Refugees and her staff for their tireless efforts, and to other humanitarian organizations, as well as to the thousands of troops serving in the United Nations Protection Force (UNPROFOR).

It was under the auspices of the United Nations High Commissioner for Refugees, Mrs. Ogata, that all parties entered into an agreement in Geneva on 18 November to ensure the delivery of humanitarian assistance by suspending hostilities and allowing free and unconditional access by the most effective land routes. This agreement, reaffirmed and further elaborated in Geneva on 29 November 1993, seems to have enabled some convoys, particularly in central Bosnia, to reach their destination. Disturbing reports, however, indicate that access for humanitarian relief convoys continues to be hampered or prevented, and that the necessary freedom of movement of all United Nations personnel continues to be restricted. We therefore call on all sides to adhere to their obligations and honour their commitments in order to permit the desperately needed acceleration of humanitarian deliveries.

To impede humanitarian assistance relief operations through military means is simply unacceptable. Whoever commits such acts violates the most basic principles of international civilization and will be held responsible. In the absence of a negotiated and implemented peace plan, the international community, for its part, has to make increased assistance to the innocent victims in Bosnia and Herzegovina its foremost priority.

While all possible efforts are made to alleviate the humanitarian situation in Bosnia and Herzegovina, the urgent need for an effective cease-fire and a just and lasting political solution has to be recognized. However, as Mrs. Ogata put it in her statement during the meeting on the situation in the former Yugoslavia which took place in Geneva on 29 November, "Relief convoys cannot be a substitute for peace".

Any peaceful solution will have to be achieved in accordance with the fundamental principles of the Conference on Security and Cooperation in Europe (CSCE), the principles set out by the London International Conference on the Former Yugoslavia in August 1992, and the relevant Security Council resolutions. It is more than appropriate to recall that basic fact on the very eve of yet a further round of negotiations and in view of new shelling attacks directed against the city of Sarajevo, which in the draft resolution before us is rightly described as a multicultural, multi-ethnic and multireligious centre whose plurality needs to be preserved.

Peace plans calling for *de facto* recognition of the status quo, a status quo established against all the above-mentioned principles, and in violation of independence, territorial integrity and human rights, would be likely to engender further conflict in the future. There is imminent danger that a State Member of the United Nations, Bosnia and Herzegovina, could be divided up in a move sanctioned by the international community. That danger, as well as the ongoing violations of international law, human rights and humanitarian law, puts fundamental principles of international conduct in jeopardy while seriously undermining the reputation and credibility of the international organizations involved. The apparent failure of the United Nations system of collective security - a failure which, of course, is only the mirror image of the lack of political resolve on the part of Member States - is especially alarming in this regard, with already discernible negative consequences for similar conflicts present and future.

It is with those grave considerations in mind that Austria will support the draft resolution before the Assembly.

Mr. ABDUL MOMIN (Brunei Darussalam): The worsening situation in Bosnia and Herzegovina not only is bringing severe hardship to the Bosnian people but continues to pose a threat to international peace and security. The Bosnian Government has appealed to the conscience of the international community to help it find a solution to the conflict, and a great number of resolutions aimed at achieving this have been adopted by the General Assembly, by the Security Council and by other bodies.

However, these resolutions, some under Chapter VII of the Charter, are often unheeded and thus risk becoming mere words that bear little meaning to the people that they are meant to help. They seem to serve only to embolden the aggressors and make them feel that the international community will permit them to act with impunity. For this reason we have stated that we believe the United Nations should lift the arms embargo. The current situation contains no new elements which encourage us to alter that view. We still maintain that the Bosnian Government is entitled to expect this Organization to allow it the right of all sovereign nations to undertake the defence of their country and protect their people themselves.

Brunei Darussalam reiterates its strong support for the Government of Bosnia and Herzegovina. We continue to condemn the aggression and atrocities committed against the people of Bosnia and Herzegovina and the violation of the sovereignty and territorial integrity of their country. We favour a solution which is consistent with the principles stated in the various Security Council and General Assembly resolutions and which conform to the wishes of the Government of Bosnia and Herzegovina.

We wish to see the return of territories acquired through the use of force and through the practice of "ethnic cleansing", as well as specific guarantees on the implementation of any final agreement from the countries and regional organizations concerned. As a first step we urge all sides to respect and comply with the cease-fire agreement.

In this regard we continue to look to all concerned and interested parties, as well as to the Security Council, to act decisively. We seek an end to this crisis that guarantees the independence, sovereignty and territorial integrity of Bosnia and Herzegovina and also brings to account all who have committed the ongoing massive violations of human rights.

Finally, I wish to assure all those directly involved in United Nations humanitarian operations of our profound acknowledgement of the efforts made by those countries, international organizations and private individuals that have contributed vital assistance to the Bosnians. Courageous people have lost their lives in their determination to alleviate the sufferings in that country, and we feel for them as much as we do for all victims of this conflict.

Mrs. FRECHETTE (Canada): Canadians remain horrified by the continuing brutality and suffering in the Republic of Bosnia and Herzegovina. One year ago in the Assembly we addressed the situation in Bosnia and Herzegovina with the hope that 1993 would bring an end to this tragic conflict. Today, we can only reluctantly recognize how desperate the situation continues to be, despite the tireless efforts of the international community, in particular those of the United Nations, its peace-keepers, the Office of the United Nations High Commissioner for Refugees (UNHCR) and other specialized agencies and the Co-Chairmen of the International Conference on the Former Yugoslavia.

Over the past year numerous negotiations have been held and various peace proposals have been put forward - by the parties themselves, by the Co-Chairmen and by the European Union. All of these proposals contain elements for a pragmatic and durable solution in Bosnia and Herzegovina as well as in the rest of former Yugoslavia. Canada strongly supports the present efforts of the Co-Chairmen and the European Union.

In order to see an end to the suffering of the Bosnian people we must draw certain conclusions from the reality of the situation on the ground. Continued fighting will not bring the parties any closer to peace - in fact, the reverse. Only they themselves can bring an end to the fighting. The differences between the parties can be bridged if there is the political will to do so. The continued hardship and suffering for the population of Bosnia and Herzegovina through another winter and beyond can in no way be justified.

We welcome the resumption of negotiations in Geneva and Brussels next week and strongly call upon the parties to make the difficult compromises required to reach a durable settlement. Any solution must provide for the viability of the Bosnian Moslem- majority Republic, with access to the sea. The parties must immediately live up to their agreements, in particular the 29 November Geneva Agreement to allow the unimpeded delivery of relief supplies to all those in need in Bosnia and Herzegovina. All sides must cease interfering with humanitarian convoys.

(spoke in French)

The international community and States Members of the United Nations want above all to put an end to the war in the former Yugoslavia. In resolution 47/121 adopted last year the Assembly expressed its appreciation of all the ongoing international efforts to restore peace in the Republic of Bosnia and Herzegovina and also commended the untiring efforts and bravery of the United Nations Protection Force (UNPROFOR) in securing relief operations in Bosnia and Herzegovina, as well as the efforts of the UNHCR and other relief and humanitarian agencies.

An International Tribunal has been established to deal with war crimes in the former Yugoslavia. Canada was one of the first nations to call for its creation, which sets an important precedent and sends a clear signal to those who are with impunity flouting the basic tenets of humanitarian law that the international community will not tolerate their actions. Canada is continuing to play an active part in the investigation of war crimes and looks forward to the early start of the Tribunal's work.

Canada remains committed to the search for peace in the former Yugoslavia. Canadian peace-keepers remain on duty with UNPROFOR in Bosnia and in Croatia as its third-largest contingent. To date, our total assistance in the region is close to $CAN 270 million, including $CAN 50 million of humanitarian relief in the form of food, medicine and other essential supplies to help the victims. In addition, Canadian aircraft daily bring urgently needed supplies into Sarajevo and transport medical evacuees for treatment in hospitals in Canada and elsewhere in the world. We are strictly enforcing the United Nations sanctions against Serbia and Montenegro, the United Nations protected areas in Croatia and the Serb-controlled areas in Bosnia and Herzegovina.

Canada supports the efforts of the Security Council and the General Assembly. In this connection, we would have hoped to have been able to support the draft resolution (A/48/L.50) before us. Indeed, there is much in the draft resolution with which we are in complete agreement. Regrettably, however, the draft resolution contains certain elements that make it impossible for my delegation to vote in favour of it in its present form. Most important, we cannot support a call for lifting the arms embargo. We are convinced that adding more weapons to the region would increase violence and destruction and make it even more difficult to reach a negotiated peace. It is for that reason that my delegation will abstain in the voting on the draft resolution now before the Assembly.

Mr. WISNUMURTI (Indonesia): Ever since the eruption of the conflict in Bosnia-Herzegovina, we have been witnessing the violent and forcible subjugation of a State Member of the United Nations. The horror has continued in all its intensity during the past year, with wide-ranging ramifications for the future not only of that Republic but of the entire Balkan region. This escalation and the resulting deterioration of the situation reflects the total defiance of the international community and its decisions and are a blatant violation of international humanitarian law.

We strongly condemn the continued shelling of cities and towns, the unending massacres, the mass expulsions and the unconscionable policy of "ethnic cleansing". In this context, Indonesia has consistently endeavoured, both in the Non-aligned Movement and in the Organization of the Islamic Conference, to secure a speedy and negotiated solution within the framework of appropriate international mechanisms. It is self-evident that the carnage - particularly the virulent type of warfare in Bosnia - must end and peace, security and tranquillity in that beleaguered nation must be restored.

Under the threat of a continuation of the unequal war, the Bosnians are being coerced into accepting the partition of their country along ethnic lines - an arrangement that would reduce Bosnia to a cluster of small, non-contiguous, land-locked and perpetually vulnerable Muslim enclaves, within a so-called union of the Republic of Bosnia and Herzegovina. As the revised peace plan now stands, large areas of what was formerly Bosnian territory would be ceded to Bosnia's adversaries.

Acceptance of this plan would legitimize aggression, result in further suffering for the Bosnians and, ultimately, lead to the disintegration of their country. It would prolong the turmoil and would perpetuate regional instability. It could lead to annexation, by Serbia and Croatia, of Bosnian territory and could consign Bosnia to a disproportionate fraction of the land. And it would render Bosnia a non-viable State because of its location between two hostile States, which could cut off its access to the outside world and, thereby, maintain a stranglehold on its economic life.

The Government of Bosnia, having steadfastly opposed the partition plan, has none the less conditionally agreed to such a division if it is part of a comprehensive agreement that would secure Bosnia's legitimate interests in terms of its basic territorial, economic and security needs, as well as safe access to the sea and safe passage between the Republic's component parts.

Meanwhile, much of the population of Bosnia is already severely impoverished as a result of the miseries imposed by a cruel war. Living conditions - already grim - are now worsening with the onset of winter. Economic hardships are mounting across the devastated tracts of Bosnian territory. The shortage of essential goods poses an increasing threat to the survival of Bosnia as aid convoys and trucks become frequent targets.

These deprivations have been aggravated by the reign of terror unleashed by lawless elements. In short, the rapid depletion of resources, the plummeting of economies, the disturbing increase in the number of displaced persons and the near-collapse of infrastructures are all occurring against the backdrop of profoundly dismal prospects for an end to hostilities.

The situation is further compounded by Serbia's duplicity and by its refusal to implement the provisions of last month's agreement to refrain from obstructing relief convoys with a view to averting a humanitarian catastrophe. Coming in the wake of repeated violations of cease-fire and other commitments, the repudiation of this accord on the free and unimpeded flow of aid is no doubt intended to humiliate the people of Bosnia into submission.

We should also take note of the dichotomy inherent in the so-called safe areas, which have proved to be neither safe nor secure. Indeed, these areas have suffered the heaviest bombardment.

Thus, the situation in Bosnia can be summed up as constituting a clear contravention of basic principles of the United Nations Charter, a travesty of justice and abject surrender of the notion of the primacy of law over the use of force. It is a blatant case of negotiations being conducted under duress and of a forced compromise between aggressors and their victims, which may well lead to renewed violence, greater insecurity and massive displacement of persons. Consequently, Bosnia and Herzegovina is facing the dangerous prospect of the forcible dismantling of its multi-ethnic, multicultural and multireligious society, the brutal decimation of its people and the gradual diminution of an independent and sovereign State Member of the United Nations.

Hence, my delegation will continue to support the Government and people of Bosnia and Herzegovina in their legitimate struggle to attain a just, viable and comprehensive settlement. The "off again, on again" negotiations remain stymied owing to the persistent Serbian refusal to yield territory acquired by force of arms.

But of immediate concern is the imperative need to ensure safe passage for relief convoys, through the use of force, in order to remove the threat of imminent human disaster as the fighting enters its second winter.

We also call for urgent action to broaden the role of the United Nations through the provision of relief corridors on land and protective cordons around besieged cities and towns. These measures should be followed by the rapid and unconditional withdrawal of Serbian and Croatian troops and by the surrender of heavy weapons to the peace-keeping forces, which must be strengthened.

Furthermore, any search for a new and more comprehensive peace should be based on the relinquishing of territory and on the right of all refugees and all those who were forcibly expelled to return. Any arrangement should ensure that an independent Bosnia is strategically and economically viable and has Sarajevo as its capital. Finally, any negotiated accord must be freely entered by the parties concerned and must be viable, equitable, fair and enforceable.

In the meantime, the economic sanctions imposed on the former Yugoslavia must be continued. We commend the Security Council's refusal to lift them. Any decision in this regard must not be taken until a peace plan has been signed and is being implemented under international guarantees.

In conclusion, we reaffirm that a comprehensive solution to the conflict can be attained only through a negotiated settlement based on the precepts of justice and mutual tolerance - a settlement enabling the people of Bosnia and its neighbours to coexist in peace, free from domination and external interference. We also reiterate the sacrosanct principle that the borders of an internationally recognized State cannot be altered by force. Serbia must be stopped, and Bosnia's territorial integrity and sovereignty restored. Even at this late stage, the measures that the international community undertakes - or fails to undertake - will determine the survival of Bosnia and, indeed, the future peace and stability of the entire Balkan region.

The draft resolution before us is in full conformity with resolutions already adopted by the General Assembly and by the Security Council, as well as with principles of international law, and it takes other relevant developments into account. In my delegation's view, it warrants unanimous adoption.

Miss AL-KHALED (Kuwait) *(interpretation from Arabic):* At the outset, I should like to send from this podium a message of great esteem to the Government and people of Bosnia and Herzegovina for their steadfast stand in the face of continued aggression.

My country has followed with deep sorrow the ongoing tragedy in Bosnia since 30 May 1992. Suffice it to say that the callous acts of murder and the policy of "ethnic cleansing" that have befallen the Muslim population of Bosnia brand with shame the brow of humanity in our times. The result of the continuing Serbian aggression has been the occupation of two thirds of Bosnian territory, the ongoing destruction of cities and villages, and further acts of murder, rape and horrendous famine.

The situation in Bosnia and Herzegovina remains one of my country's main concerns. We are gravely disturbed yet another attempt to compel the Government of that country to accept what is tantamount to a final ultimatum in the guise of a peace plan, together with a map of an illusory union, made up of disjointed enclaves, without an army or a police force directly under a central authority or an elected parliament. The Serbs have imposed this *fait accompli* by occupying two-thirds of the Bosnian territory. Regrettably, international mediators accepted this *fait accompli* and the weaker party was asked either for concessions on lands or to continue being subjected to aggression and destruction.

The new peace plan is a desperate attempt to halt the violence and bloodshed without any international commitment to restore the occupied land to its owners. The international community has allowed the situation in Bosnia and Herzegovina to deteriorate to a politically unacceptable level - an international crime against the people of Bosnia and Herzegovina.

The two Co-Chairman of the Steering Committee submitted a settlement plan for Bosnia in August 1993. The report, in document S/26260, stated that the past year's efforts have shown that the parties to the conflict are unable to make peace by themselves and that even impartial intermediaries cannot always shift one or other of the sides from adopting intransigent and unreasonable positions. However, the international community may justify its indifference towards the events in the Balkans, the consequences of those events will prove disastrous in the days and years to come.

It is not only the human suffering in Bosnia and Herzegovina that is at stake here but also the universality of the civilized norms which form the basis of our dealings with each other. Can we accept the principle of the acquisition of land by force and thence the use or threat of use of force in international relations? Kuwait was subjected to aggression by Iraq and knows the meaning of the use of force and the acquisition of land by force. Therefore, we cannot accept this principle. Any permanent settlement in Bosnia should be based on dialogue, consultation and negotiation.

My country, Kuwait, believes that it is important to achieve two main objectives: first, that of ensuring an effective and complete cease-fire and an end to all hostilities in Bosnia and Herzegovina; secondly, that of establishing a framework of principles on the basis of the principles of the London Conference as the groundwork upon which peace and a peaceful settlement may be built. We call for the lifting of the arms embargo imposed on Bosnia and Herzegovina so that it can defend itself in accordance with Article 51 of the Charter. We call for the strengthening of the economic embargo on Serbia and Montenegro so that the Belgrade regime may stop supplying the Serb aggressors with military *matériel*. We call upon the Security Council to enforce the no-fly zone over Bosnia and Herzegovina, by military means available to the United Nations under Chapter VII of the Charter.

We have followed with deep concern the activities of the Commission of Experts established Security Council 780 (1992) to investigate serious violations of international humanitarian law committed in the territory of the former Yugoslavia since 1991. Those crimes include mass killing, the destruction of property, the mistreatment of detainees and prisoners, the barbaric policy of rape, the policy of "religious cleansing", the expulsion of civilian populations and other horrendous crimes in Bosnia and Herzegovina. The report of the Commission states that there are 393 detention facilities, of which 158 are controlled by the Serb forces, that there are more than 200 mass graves, in which approximately 4,000 people have been are buried and that the number of cases of rape as a systematic policy of war against the Muslims is about 12,000.

We call upon the Security Council to shoulder its responsibilities and reaffirm its credibility in the area of maintaining peace and security as it did in dealing with the Iraqi aggression against my country. We deem it important that the international community fully respect the sovereignty, political independence and territorial integrity of Bosnia and Herzegovina as a State Member of the United Nations, so that it may remain a Member of this Organization.

Mr. CISSE (Senegal) *(interpretation from French)*: In the history of our Organization, few questions have been the subject of so many resolutions and statements on behalf of the Security Council as has the tragic situation in Bosnia and Herzegovina. Nor could more be added to what has already been said to deplore and condemn this tragedy, which continues to weigh upon our collective conscience. And yet the current debate is no less important for all that, because it gives us the chance to remind the international community once again that, after 20 months, it has yet to put an end to the suffering of the Bosnian people.

This failure is all the more unfortunate in that it would seem to encourage the aggression against Bosnia and Herzegovina, whose people have been continuously subjected to violence, flagrant violations of their human rights, affronts to their human dignity and the rape of women. There is obviously no longer any need to dwell at length on the heavy price being paid daily by men, women and children beleaguered, persecuted and decimated wholesale by methods which recall the very darkest moments of human history.

It is therefore unacceptable that all the efforts made so far by the international community, and particularly the United Nations, to put an end to this tragedy have yet to have any effect, owing to the intransigence of the Serbian party and the insensitivity of others.

In a recent message to the Heads of State or Government of the five permanent members of the Security Council, sent in his capacity as current Chairman of the Sixth Summit of the Organization of the Islamic Conference, the Head of State of Senegal described the tragedy of the Bosnian people in these words:

> "The situation in Bosnia and Herzegovina is extremely precarious, in view of the acts that continue to be perpetrated there by the Serbs. These acts are a grave breach of that country's territorial integrity and of the Bosnian people's fundamental and inalienable right to live in peace, freedom, justice and dignity, like all the other countries of the former Yugoslavia. For that reason, these acts are clearly a violation of international law, and, because of their persistence and scope, they are a serious threat to the equilibrium of the entire region and to international peace and security."

The most serious point is that the aggressors and the forces supporting them pursue their "ethnic cleansing" in total disregard of the injunctions of the international community, particularly those of the Security Council, whose relevant resolutions have simply been ignored. The situation is so desperate that we almost think that for the first time since the end of the Second World War our Organization is acting as if it had set limits that it will not cross in the face of a flagrant violation of principles and norms on respect for which depends the preservation of international peace and security, one of the Organization's main objectives.

Though we have recently demonstrated our deep commitment to these principles and norms, we must note that during the 20 long months of suffering and wilful destruction endured by the people of Bosnia and Herzegovina it has never been possible, despite all the declarations of good intent, to impose a lasting truce - much less a complete cease-fire - which is a necessary condition for the peaceful, negotiated solution so earnestly desired.

Nevertheless, the people of Bosnia and their capable leaders have never given in to despair, nor has their confidence in us flagged. In this regard, we should particularly praise the far-sightedness and statesmanship of President Izetbegovic, whose sense of responsibility and political courage lend strength to the rejection of any solution that would constitute capitulation.

Today the forces of aggression, having rejected all the compromises so painstakingly elaborated in the framework of the International Conference on the Former Yugoslavia, are demanding ratification of the *fait accompli* so that the results of their policy of "ethnic cleansing" and other violations of international law will be accepted. Faced with this challenge issued by Serbia and Montenegro, the United Nations, and particularly the Security Council, must adopt a new approach and take appropriate measures to put an end to this genocide.

Because, much to our regret, it has been unable to impose an immediate, effective cease-fire, our Organization should, at the very least, guarantee the protection of civilian populations in the safe areas, which were defined and established, some time ago, under air cover. On this point, as on many others, optimism is hardly warranted, according to Mr. Mazowiecki, who considers that the safe areas exist only on paper.

In order to give some meaning to the arms embargo imposed on the countries of the former Yugoslavia, an embargo which in fact hurt, only Bosnia and Herzegovina, our Organization should do more to protect those providing humanitarian assistance and facilitate their efforts so that assistance can reach the Bosnian population more regularly.

Furthermore, the United Nations should either come up with the means and the will to put an end to the supply of arms to all the parties receiving them or lift the embargo, which is paralysing only Bosnia and Herzegovina, so that it can defend itself. By the same token, the mandate of the United Nations Protection Force (UNPROFOR), whose professionalism we commend, should be strengthened, broadened and clearly defined in order to allow it to establish and maintain order in such a way as to help promote efforts to reach a negotiated peace.

Today, more than ever, we are facing a challenge to the credibility of our Organization and its ability to prevent this conflict from spilling over into the neighbouring provinces of Kosovo, Sandzak and Vojvodina. The delicate balance in this troubled area of the Balkans depends very much on the resolute commitment of the United Nations and of the regional organizations involved in the process of the International Conference on the Former Yugoslavia to induce all the forces involved to sit down at a table and sincerely seek a just, equitable and lasting solution negotiated in good faith.

Therefore, to request the United Nations to lift or even relax, for allegedly humanitarian reasons, the sanctions imposed on Serbia and Montenegro, just when the sanctions are beginning to have some effect and when Bosnia and Herzegovina and its martyred people are facing the rigours of winter and frustration, seems to me to be an affront to our conscience. Since the conflict began economic sanctions have been the only measure apparently capable of putting any pressure on those responsible for the aggression.

Furthermore, we know that in order to keep a strong army and continue to assist the aggressor Serb forces of aggression in Bosnia and Herzegovina, Serbia and Montenegro diverts its resources, including medical supplies, for the benefit of its army alone. Otherwise, how could we account for the pictures we have seen of well-fed and well-equipped soldiers side-by-side with pictures of hospitals without medicine and essential equipment or pictures of abandoned mental asylums?

Although we feel compassion for human suffering, wherever and among whatever population it occurs, we believe that the sanctions should remain in place until the aggression against Bosnia and Herzegovina and the massive violations of human rights have been put to an end and a just and lasting solution to the conflict has been reached on the basis of the conditions laid down by the Security Council. I believe that protecting the safe areas remains a priority.

For all these reasons my delegation fully supports the draft resolution before the Assembly. We earnestly hope that it will be adopted by consensus, since that will contribute to strengthening our joint efforts to safeguard the independence, sovereignty and territorial integrity of Bosnia and Herzegovina and to guarantee peace and security in the Balkans. It will also send a clear message to the Serb side of our firm resolve not to reward its aggression.

In conclusion, I should like once again to draw inspiration from the message of President Abdou Diouf and say that the success of the proposed step would guarantee both the legitimate rights of the Bosnian people and the return of stability to that part of Europe. Between law and injustice based on the law of the strongest, our choice should be easy, if it is our desire - as I hope it is - to bring lasting peace and security back to that region so that its peoples may live in mutual respect and perfect harmony.

If we fail to keep this rendezvous with history, future generations, whose hopes are all pinned on our Organization, will be amazed.

Mr. KHOSHROO (Islamic Republic of Iran): The General Assembly meets today to discuss an issue that cannot but jar the conscience of every human being. For more than two years the innocent Muslim people of Bosnia and Herzegovina have been subjected to indiscriminate uprooting, mass rape and systematic murder by the Serbs. Throughout this period, Serbian nationalists have conducted a campaign of genocide, with the full support of Serbia and Montenegro. The horrendous crimes and brutal aggression against the Republic of Bosnia and Herzegovina, a Member State of the United Nations, is without question one of the worst human tragedies in contemporary history.

Over the past two years it has become abundantly clear to the world community that the Serbian forces will not stop their genocidal aggression as long as the Security Council is reluctant to take enforcement measures, including the use of force under Chapter VII of the Charter. Unfortunately, the Security Council has failed to shoulder its responsibilities under the Charter to halt Serbian aggression, much less to reverse it. The approach and attitude of the Security Council towards this conflict has, in fact, had grave implications for the political independence and territorial integrity of the Republic of Bosnia and Herzegovina and for international peace and security.

Indeed, the Security Council's attitude towards the brutal uprooting and gradual extinction of a young Member State of the United Nations clearly reveals that a passive approach and a policy characterized by double standards, appeasement and leniency toward the aggressor has prevented the international community from affecting justice. This has also allowed the aggressor to dictate its terms to the Security Council and to continue its aggression with impunity.

The unjustifiable denial of the inherent right of an independent State to individual or collective self-defence under Article 51 of the United Nations Charter left the people of Bosnia and Herzegovina at the mercy of their aggressors. The unfortunate result has been a total disregard for the individual rights of a nation and for their underlying international norms and principles. Now that the national interests of the powerful States have taken precedence over international obligations, and now that these States have adopted an attitude that is bent on legitimizing the aggressor's gains, the international community is confronted with an urgent task. It is incumbent upon us to demonstrate our moral and political support in defence of the besieged people of Bosnia and Herzegovina. We should do everything in our power to alleviate their sufferings and to address those concerns.

In this context, the Security Council, in fulfilling its responsibility under Article 24 of the Charter, must take prompt and effective action under the provisions of Chapter VII of the Charter. It must authorize United Nations Member States, in cooperation with the Government of the Republic of Bosnia and Herzegovina, to use all necessary means to uphold and restore the sovereignty, political independence, territorial integrity and unity of the Republic of Bosnia and Herzegovina. Moreover, the Security Council must exempt, without any further delay, the Republic of Bosnia and Herzegovina from the arms embargo imposed under Security Council resolution 713 (1991).

It is evident that peace negotiations in this conflict have not been conducted in a fair and just manner. Nor do the proposed peace plans measure up to the principles of equity and justice. For negotiations to be successful, the aggressors, who have enjoyed military superiority, must be made to acknowledge that only a just and equitable solution will be acceptable to the international community - not a solution dictated by the use of force and "ethnic cleansing". In this regard, the Islamic Republic of Iran believes that, despite the consistent show of flexibility by the Bosnian Government, the peace talks have, regrettably, faltered because of continued intransigence by the Serbs.

We believe that the Assembly should adopt a resolution founded on the basic and fundamental principles required for a peaceful resolution of the human tragedy in Bosnia and Herzegovina. These include, in particular, recognition of the viability of the Government and Muslim people of Bosnia and Herzegovina, including their ability to defend themselves; the establishment of a meaningful cease-fire; the withdrawal of Serbian heavy weaponry to areas outside the safe areas; the lifting of the siege of the cities; the restoration of unhindered access to humanitarian assistance; a reaffirmation of the unacceptability of the acquisition of territory by force and "ethnic cleansing" and the need to evacuate territories thus occupied; the safe and honourable return of refugees; and the right of the Government and people of Bosnia to seek and receive reparations and compensation. Finally, individuals guilty of war crimes and crimes against humanity must be punished.

It is against this background that my delegation co-sponsored the proposed draft resolution on Bosnia and Herzegovina and strongly supports its adoption by the General Assembly. The draft resolution encompasses principles which will help establish a lasting peace in the Republic of Bosnia and Herzegovina. In this regard, the draft resolution urges the Security Council to uphold and restore fully the sovereignty, political independence, territorial integrity and unity of the Republic of Bosnia and Herzegovina and to exempt that country from the arms embargo. Furthermore, it calls upon the Security Council to ensure that the peace proposals are in conformity with the Charter, the principles of international law, previous resolutions of the General Assembly and the Security Council and the principles adopted at the London Conference. In our opinion, the Security Council should heed these repeated calls of the international community and remedy its past mistakes.

Many countries, including the Islamic Republic of Iran, are alarmed at the recent suggestion that the sanctions imposed against Serbia and Montenegro should be relaxed. It is regrettable that such talk about lifting the sanctions can take place while the Serbian aggression continues unabated. These sanctions, which were imposed in the wake of blatant Serbian aggression against Bosnia, should continue until all conditions stipulated by the Security Council are fully met, including evacuation of the territories occupied by force and "ethnic cleansing".

Here in the General Assembly, we who represent the entire international community have always been in the forefront of the defence of human values and internationally accepted norms and principles. Without doubt, our concerted and collective efforts will enable us to withstand crimes against humanity and defend and preserve the political independence, territorial integrity and unity of the Republic of Bosnia and Herzegovina.

The Islamic Republic of Iran stands ready to lend its full support to the realization of these objectives.

Mr. OSVALD (Sweden): I have the honour to speak on behalf of the five Nordic countries: Denmark, Finland, Iceland, Norway and Sweden.

The tragedy in Bosnia and Herzegovina has led to immense and unacceptable human suffering in spite of the fact that efforts for peace have been going on continuously since 1992. The Nordic countries fully support the unstinting efforts of Lord Owen and Mr. Stoltenberg, and of the International Conference on the Former Yugoslavia, to promote the cessation of hostilities and negotiations for a peaceful settlement. The international community must not tire in its efforts to contribute to a cessation of the fighting and to the negotiation of a peace agreement.

Despite all efforts, the parties have until now failed to reach a peace agreement on the basis of the three peace proposals put forward within the framework of the International Conference on the Former Yugoslavia. The European Union's initiative is a new opportunity to settle the conflict in a peaceful manner. We hope the parties will make use of this opportunity. The international community cannot make peace for them.

The civilian population is the main victim of the war in Bosnia. They are suffering grievously from military aggression, "ethnic cleansing", torture and violence - even against women and children. The parties must realize that prolonging the war will not improve their own situation in the long run. Peace must be given a chance.

It is tragic that a multi-ethnic Bosnian State does not seem to be feasible for the moment. Still, this must remain the long- term objective. The process of reversing the results of war and of "ethnic cleansing" can be undertaken only under peaceful conditions that guarantee the fundamental rights of all ethnic groups.

The Nordic countries welcome the establishment of the International Tribunal on war crimes. Those responsible for breaches of international humanitarian law and violations of human rights must be brought to justice for these atrocities.

A severe winter is already starting to further exacerbate the excruciating plight of the population, which is already facing starvation. Relief convoys are being stopped and used as weapons in the conflict, both as a deliberate tactic by the parties involved and by irregular units. Criminality and widespread lawlessness are increasingly prominent features of the conflict.

The demand that aid shipments be allowed to reach those in need has imperative urgency in this situation. The parties must, in accordance with the Joint Declaration signed in Geneva on 18 November 1993 and confirmed on 29 November, ensure complete and secure freedom of movement for all humanitarian convoys.

If the war continues, it will become increasingly difficult to launch an international rehabilitation initiative on a sufficient scale. At the same time, the rest of the world must present a clearer picture of what a civilian reconstruction initiative might involve.

As far as Bosnia and Herzegovina is concerned, the implementation of a peace agreement must be one of the prerequisites for the gradual lifting or suspension of sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro). The international community must provide guarantees for a peace plan at both the civilian and the military level. All countries, and in particular the great Powers, must live up to their responsibilities in this context.

The Nordic countries remain prepared to participate in the implementation of a peace agreement. We also consider that a number of international organizations, including the Conference on Security and Cooperation in Europe, the North Atlantic Treaty Organization, the European Community monitoring mission and several non-governmental organizations, have an important role to play and can thus make major contributions to this process.

In the peace-keeping area, the United Nations Protection Force (UNPROFOR) is currently understaffed in Bosnia and is operating under extremely difficult conditions. UNPROFOR has to face not only armed attacks but also the problem of the blocking of transportation of equipment and relief to those in need.

The opening of the Tuzla airfield is a vital factor for the distribution of humanitarian relief. This would also improve the possibility of getting supplies through to United Nations personnel. We therefore urge the parties to cooperate with the United Nations in order to reopen the Tuzla airfield.

Despite the adverse circumstances, UNPROFOR is making an invaluable contribution, primarily in the humanitarian sphere, in close cooperation with the Office of the United Nations High Commissioner for Refugees, the principal United Nations agency. The Nordic countries are currently contributing approximately 3,300 personnel to UNPROFOR, 2,000 of which are deployed in Bosnia. The Nordic contingent in the Tuzla area is now in the process of being deployed. At the moment, approximately 900 out of a total of 1,300 Nordic personnel are in this area of operations.

The Nordic contingent in Bosnia has been put to the test and is facing cruel realities. Its personnel is harassed and attacked. There is also a shortage and lack of basic equipment. It is unacceptable for the Serb side to block the delivery of equipment and supplies to the Nordic peace-keeping force in Tuzla and to other UNPROFOR forces.

In the humanitarian sphere, the Nordic countries are together contributing a total of approximately $182 million to various programmes in the former Yugoslavia, mainly in Bosnia. The assistance is, *inter alia*, for housing for displaced persons, medicine and food supplies.

Refugee flows are another tragic effect of the war in the former Yugoslavia. More than 60,000 Bosnians have so far sought refuge in the Nordic countries. It is essential that more countries demonstrate a generous attitude in providing humanitarian assistance to the region as well as in accepting refugees from Bosnia and the former Yugoslavia.

The draft resolution (A/48/L.50) before us today reflects the very serious situation in Bosnia and Herzegovina. It reaffirms several important principles that must guide the search for a settlement. While we fully support the main objectives of the draft resolution, which are to bring an end to the hostilities and contribute to the restoration of peace, certain provisions cause difficulties for the Nordic countries. These relate, *inter alia*, to the well-known Nordic position regarding operative paragraph 17 of the draft resolution. The Nordic countries will thus not be in a position to support the draft.

Finally, it should be stressed that a lasting peace agreement in Bosnia and Herzegovina is, to some extent, dependent on positive developments throughout the former Yugoslavia, particularly in Croatia and Kosovo. Therefore, while the parties concerned and the international community are working for peace in Bosnia, measures must be undertaken simultaneously to secure peace in the region as a whole.

Mr. ODEH (Jordan) *(interpretation from Arabic)*: This is the third session in a row at which the General Assembly has remained seized of the issue of the continuing Serbian aggression against Bosnia and Herzegovina, a Member State of the United Nations. The Serbian aggression, however, has only intensified in brutality and expanded in scope. The Serbian aggressors persist in their stark violation of the well-established humanitarian system of values and civilized norms of conduct as they thumb their noses at the institutions of international legality.

Last year, when the General Assembly examined this international conflict, the most salient feature of the issue, apart from its most horrific nature, was the striking imbalance between the aggressor and the victim. On one side stood the Serbs, armed to the teeth and secure in their military superiority, jubilant over their victories and driven by ultra-nationalistic and religious bigotry. On the other side were the Bosnians, who had far less weaponry yet believed in national and religious pluralism. Their land was progressively being swallowed up, while the civilian population continued to be the victims of "ethnic cleansing" and of every other conceivable form of terrorism.

Against that backdrop, when this question was debated in the Assembly at the last session, we had entertained some hope that the aggression would be suppressed and brought under control. Our hope then was anchored in the United Nations, whose Charter calls on it to intervene to fulfil its obligations towards the victims of aggression, who see in our world Organization a last recourse for justice. Our perception was that the United Nations would rectify the imbalance by acting effectively on behalf of the victim, with a view to laying the groundwork for the peaceful resolution of the conflict through the good offices of the international mediators.

In effect, the Security Council adopted a series of resolutions in the hope that this would influence the Serbs and prod them towards accepting a cease-fire and negotiating in real earnest with a view to achieving a just peace between the parties that would provide the groundwork for a genuine, more comprehensive peace throughout the Balkans.

Today, as the forty-eighth session of the General Assembly takes up the Serb aggression against the Republic of Bosnia and Herzegovina, my delegation is saddened by the way those hopes are receding, their spark fading to near extinction. The picture today is unremittingly abhorrent: it is the picture of an uninterrupted series of Serb atrocities against the land and the people of the Republic of Bosnia and Herzegovina. Our sadness is all the worse for seeing an impotent United Nations failing to carry out its own resolutions. The entire scene is simultaneously alarming and repugnant.

Thinking aloud, I wonder if there could be a scenario more blood-curdling than that of the United Nations losing its credibility. Can there be a more menacing threat to international peace and security than the unbridled lust for territorial expansion, annexation and secession by the force of arms? Does anything strike more terror in our hearts than the determination to ignore the mechanisms of international law and peaceful dialogue as viable means of dispute settlement? Is it not a subtle - but powerful - encouragement to use force to settle a dispute when the avenues of legal recourse are blocked and when the legal authority abandons its statutory functions?

The depressingly low level of the performance of the United Nations, as demonstrated by its failure to curb Serb aggression and to enforce its own resolutions, has given the Serb aggressors a sense of superiority over the United Nations itself, in addition to their military edge over their victims. Therefore, in the context of the current debate on the question of Bosnia and Herzegovina, one cannot separate one matter from the other.

The reason behind the Serbs' feeling that they have the upper hand compared with the United Nations is the absence in the case of the permanent members of the Security Council of the political will to apply the relevant provisions of the Charter to the Serb aggressors. If there is a lesson to be drawn from this debate it is that a mere declaration by Member States of their commitment to the Charter of the United Nations is in itself inadequate. Such expressions of intent must be corroborated by a political commitment to implement the provisions of the Charter. Otherwise, the image of the United Nations as mankind's consensus embodiment of universal legal authority would fade. The new perception that would emerge in the minds of peoples and Governments throughout the world would be that of an arbitrary United Nations acting in an expediently selective fashion, or of a United Nations that, because of its impotence, is in effect absent. Either or both perceptions would strip the United Nations of its relevance and validity, without which life on this planet would be truly in jeopardy.

While the cold-war politics of yesterday provided us with ample convenient excuses to justify the paralysis of the United Nations in that era, the end of the cold war and the disappearance of the rules of that game leave us without any justification for its current inaction. In all sincerity and candour, my delegation cannot really see any meaningful reason for the United Nations failure in the case of Bosnia and Herzegovina, except for the lack of a political commitment to implement the relevant provisions of the Charter.

Article 1 of the Charter clearly states that one of the primary purposes of the United Nations is

> "To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace".

This establishes the concept and significance of collective security.

By Article 24 (1) of the Charter, Member States confer on the Security Council the primary responsibility to act on their behalf, on the premise that action should be prompt and effective. Paragraph 2 of the same Article stipulates that the Security Council should act in accordance with the purposes and principles of the United Nations and on the basis of the specific powers granted to the Council under the Charter.

Therefore, Member States, as represented in this Hall, are required to reaffirm the principles set forth in Security Council resolutions and those endorsed by the International Conference on the former Yugoslavia in regard to Bosnia and Herzegovina. Furthermore, it is our collective obligation to bring pressure to bear on the Serbs to observe a cease-fire forthwith with a view to creating a favourable climate conducive to the resumption of peace talks within the framework of the International Conference.

Perhaps the most effective step to make Serbia and Montenegro responsive to the peace efforts lies in redressing the existing military imbalance between it and the Republic of Bosnia and Herzegovina. The latter should be exempted from the arms embargo imposed by Security Council resolution 713 (1991). Furthermore, the Assembly should call upon the Security Council to support the Republic of Bosnia and Herzegovina in its demand to restore full sovereignty over its territory, to preserve its territorial integrity, to ensure the safe return of Bosnian refugees and displaced persons to their home towns and villages, and to reaffirm the unity of its capital, Sarajevo, in the hope that it might once again become a shining beacon of peace and a cradle of cultural, ethnic and religious pluralism.

With a view to shifting the focus of international efforts towards ending the aggression and bringing about peace, and in a bid to put those efforts on the right track, the delegation of Jordan deems it necessary that the following measures be taken: first, an end should be put to the continuing Serb violations of the international boundary between the Republic of Bosnia and Herzegovina and the Republic of Croatia in accordance with Security Council resolution 796 (1992); secondly, force the Republic of Yugoslavia (Serbia and Montenegro) should be forced to stop forthwith its arms supplies to the paramilitary Serb forces operating on the territory of the Republic of Bosnia and Herzegovina, in compliance with Security Council resolution 819 (1993); thirdly, lift the siege on Sarajevo and other cities in the Republic of Bosnia and Herzegovina should be lifted and the necessary measures to ensure protection for the safe havens should be taken; and fourthly, immediate measures must be taken to reopen Tuzla airport in order to facilitate the delivery of international humanitarian relief assistance and to allow the International Committee of the Red Cross free access to the concentration camps.

While the delegation of Jordan recognizes with gratitude and appreciation the invaluable contribution of all individuals, agencies, institutions and non-governmental organizations engaged in providing humanitarian aid to the beleaguered people of Bosnia and Herzegovina, we should like to express in the same breath our deep concern over the extremely dangerous humanitarian situation in that traumatized land. Responsibility for the ongoing tragedy falls squarely on the Serbs for their persistent aggression, and on the United Nations for its failure to put an end to Serb atrocities. The magnitude of the tragedy is well depicted in the report of the United Nations High Commissioner for Refugees, which sounds the alarm, pointing out that unless urgent humanitarian relief assistance is delivered to the 1.8 million homeless Bosnians, some 400,000 people are bound to face certain death in the course of the winter months.

Here, once again, the Security Council is in duty-bound to take firm action without delay against the Serbs who deliberately impede the delivery of assistance. Security Council resolution 770 (1992) authorized taking all appropriate measures to ensure the delivery of relief assistance to those in need there.

My country, Jordan, has made a relatively sizeable contribution to units of the United Nations Protection Force (UNPROFOR) deployed in the former Yugoslavia. Moreover, we have recently informed the Secretary-General of our decision to put at his disposal a brigade of Jordanian troops to be deployed as part of United Nations peace-keeping operations as the need may arise. That is testimony to our commitment to work in unison with the rest of the membership to enhance the effectiveness of the United Nations in maintaining world peace and security.

Finally, I should like to take this opportunity to assure the Assembly that my delegation's concern over the need to put an end to Serb aggression, to resolve this conflict peacefully and to restore human dignity - which has been trampled by rape, starvation, displacement, physical mutilation and cold-blooded mass killings - is matched only by our concern that the United Nations should regain its credibility.

It would be a grave error to show any laxity in dealing with this issue. Simply put, silence and inaction in the face of the gains that have been achieved and continue to be achieved by the Serbian aggressors on the territory of Bosnia and Herzegovina could well be misconstrued as an international endorsement of those illegitimate gains. The current situation there is quite alarming indeed. Let me elaborate a little by giving one example.

The framework of negotiations conducted by the international mediators has changed in a grave manner indeed as it now reflects the new realities created on the ground as a result of Serbian aggression. Tolerance of this by the United Nations would be tantamount to its collusion in establishing a precedent which might become a norm in the management of international affairs under the new world order. It would also mean that we might inadvertently drift into the abysmal trap in which mutual interests and power balances among the military heavyweights would become a commonly accepted basis for international cooperation and stability, unfortunately at the expense of the weak and the vulnerable.

Therefore, to rescue the Republic of Bosnia and Herzegovina, a Member State of the United Nations, by putting an end to the ongoing pernicious aggression, is to rescue the very credibility of our Organization. Confidence in the United Nations should remain the solid underpinning of our common endeavours to save other peoples elsewhere from the scourges of war and acts of aggression, now and in the future.

Mr. FARHADI (Afghanistan): The delegation of Afghanistan is a co-sponsor of the draft resolution on the situation in Bosnia and Herzegovina now being debated by the General Assembly.

In earlier stages of the grievous and deplorable Bosnian tragedy, the Afghanistan delegation took part in the debates of the Security Council and expressed its views in the meetings of 16 November 1992 19 April 1993 and 29 June 1993.

What is the situation today in Bosnia and Herzegovina? It is much worse than it was at the beginning of the year and more dominated by Serbian high-handedness and oppression. The Security Council's resolutions have been essentially disregarded and shunned by the aggressors - as has been eloquently pointed out this morning by the Ambassador of Bosnia and Herzegovina, Muhamed Sacirbey, and during the day by many other representatives.

The very recent initiative of the European Union has been practically rejected by the Serbians, who have refused to make any compromise to allow the Bosnians viable territories in western or, in particular, eastern Bosnia. The Serbians arrogantly argue that the Bosnian enclaves in eastern Bosnia can remain isolated or that the Bosnians can choose simply to abandon the safe areas of Srebrenica, Zepa and Gorazde.

Immediately after bringing that stage of the Geneva talks to a dead end on 14 December, the Serbians started shelling Sarajevo once again, and the shelling became the deadliest in weeks. The Serbs are now redeploying troops, tanks and other heavy weaponry to new positions around the city and are preparing for more aggressive acts. Permit me to remind all delegations present of the reaction of the Minister for Foreign Affairs of France, Mr. Alain Juppé, who, when asked last Tuesday evening in a television interview on France 2 about these deadly shellings, said: "There is a Security Council resolution on air strikes. What are we waiting for?". I am sure that all the members of the Security Council and the North Atlantic Treaty Organization will appreciate the immediate practical implications of this statement. Air strikes are to be carried out when the Serbs resume their shelling of Sarajevo or their attacks upon other enclaves. It is also vital to support the Bosnians' negotiating position by further tightening the enforcement of sanctions.

Mr. Soh (Republic of Korea), Vice-President, took the Chair.

The resolution on "safe areas", from Sarajevo to Gorazde, remains unimplemented. There are current offers from member States of the international community effectively to implement the resolution and even add new cities to the safe areas. These offers should be immediately accepted and promptly implemented. Let us remember that the sieges of Sarajevo and other Bosnian towns are the most important contributors to the human suffering and the most significant impediment to constructive peace talks. Allowing the sieges to continue is morally and legally reprehensible and strategically fatal. The strangulation of Bosnian cities continues, and the United Nations and especially the Security Council are historically responsible for this untenable and perilous situation.

It is important to secure on the ground the following immediate remedies to this terrible situation: First, Tuzla airport must be opened. Secondly, in accordance with the agreement signed by all the parties and the representatives of the United Nations, Generals Cot and Briquemont, any disruption or blockage of humanitarian convoys by the Serbians should be responded to by the "necessary means". Thirdly, the Serbians must accept compromises to give the Bosnian territories - especially the safe areas of Srebrenica, Zepa and Gorazde - economic, geographic, political and defensive viability instead of strangling them. Fourthly, consistent with this viability, the Bosnian Government must retain its exit to the sea and a portion of its seashore at Neum. Fifthly, Sarajevo cannot be partitioned as Berlin and Beirut were. It cannot be partitioned for historical, legal, humanistic, political and practical reasons. The international community should clearly legislate on this principle and challenge the siege, which emboldens the

Serbian aggressors to make these demands. An ultimatum should be issued to the Serbs, before the air strikes, once and for all to cease their shelling, remove their heavy weapons from the vicinity and lift the siege.

The draft resolution on the item under consideration establishes the minimal basic principles. This is a draft based on long weeks of negotiation; the views of many delegations have been taken into consideration - all this out of the desire of the sponsors to achieve a draft resolution that can be adopted by consensus, or at least supported by a vast majority of the delegations of the United Nations Member States.

Let me recall the order of 8 April 1993 of the International Court of Justice, by which it directed the Government of "Yugoslavia" (Serbia and Montenegro) to take all measures within its power to prevent the commission of the crime of genocide, whether directed against the Muslim population of Bosnia and Herzegovina or against any other national, ethnic, racial or religious group.

The delegation of Afghanistan, in its aforementioned statements in the Security Council, has maintained that Security Council resolution 713 (1991) declaring an arms embargo against the former Yugoslavia cannot be applied in the case of Bosnia and Herzegovina. That view was supported by the International Fellowship of Reconciliation based in Geneva, the statements of which are recorded by the Sub-Commission on the Prevention of Discrimination and Protection of Minorities of the United Nations Commission on Human Rights in a paper dated 7 September 1993. Accordingly, the delegation of Afghanistan reiterates that it is necessary for the General Assembly to ask the International Court of Justice, on the basis of Article 96 of the United Nations Charter and on article 103 of the rules of the Court, to provide an advisory opinion under the Court's accelerated procedure on the followings questions: first, whether the Security Council ever intended and effectively adapted or otherwise extended its resolution 713 (1991) to be validly applicable with regard to the Republic of Bosnia and Herzegovina; secondly, whether there exists another Security Council resolution or any other legal authority superseding or in any way limiting any membership rights of the Republic of Bosnia and Herzegovina under the United Nations Charter, including in particular provisions related to individual and collective self-defence as set forth in Article 51 and, lastly, whether a Security Council embargo remains valid in international law if the Security Council is unable to decide to lift it in the face of evidence that maintaining the embargo in question favours or contributes to the commission of genocide.

In the case of the genocide practised by the Serbians we note that the International Court of Justice, in its Order of 13 September 1993, also observed that

> "All parties to the Convention have thus undertaken to prevent and to punish,the crime of genocide,"

whereas the Court declared itself not satisfied that all that might have been done has been done to prevent commission of the crime of genocide in the territory of Bosnia and Herzegovina since the Court's Order of 8 April 1993, and, in the opinion of one of its Judges, Security Council resolution 713 (1991) concerning an arms embargo against Yugoslavia, cannot be valid and binding in its operation against Bosnia-Herzegovina, lest it make Members of the United Nations accessories to genocide.

To conclude, the delegation of Afghanistan would also like the General Assembly to confirm the right of all United Nations Member States to use, in cooperation with the Government of the Republic of Bosnia and Herzegovina, all necessary means to uphold and restore the sovereignty, political independence, territorial integrity and unity of the Republic of Bosnia and Herzegovina.

Afghanistan is worried about the future of all of former Yugoslavia, including territories outside Bosnia. We fully understand the worries of the delegation of Albania expressed in many of the Assembly's Committees. We are deeply alarmed at the continuing systematic abuses committed by the authorities of Serbia and Montenegro, notably in Kossovo, Sandzak and Vojvodina, against Catholics, Moslems, Albanians, Bosnians, Croats, Hungarians and others. They are covered by the international minority protection guarantees stipulated in the Treaty of Saint-Germain-en-Laye of 10 September 1919 signed by the former Kingdom of Serbs, Croats and Slovenes and by France, Italy, Japan, the United Kingdom and the United States. Those signatories or their successors bear the legal responsibility for the implementation of the 72-year-old Treaty to avert tragedies of larger magnitude and scale. There is a dreadful danger threatening the Balkans and Europe. Fascism is not dead in Europe. Hegemonistic nationalism is increasingly becoming a perilous disaster for Eastern Europe. History on this eve of 1994 will consider responsible not only those States signatories of the 1919 Treaty but all of us. We have to take all the preventive actions we can.

Mr. TÜRK (Slovenia): The General Assembly is meeting today to discuss the war in Bosnia and Herzegovina. Tens of thousands of persons, mostly civilians, have died in that war. Hundreds of thousands have been wounded or maimed, and the number of refugees and internally displaced has reached millions.

The untold suffering of innocent victims of the war in Bosnia and Herzegovina requires, among other things, intellectual and moral accuracy and permits no obfuscation as to the nature of that war.

The war in Bosnia and Herzegovina is neither a civil strife nor an ethnic conflict. It is a war for territory started with the objective of creating greater Serbia. Territorial conquest remains the main characteristic of the war. The abhorrent practice of "ethnic cleansing", which has reached genocidal proportions against the Moslems of Bosnia and Herzegovina, is a direct consequence of this kind of war. The reports by Mr. Tadeusz Mazowiecki, the Special Rapporteur of the Commission on Human Rights, have provided ample evidence to the effect that "ethnic cleansing" is not accidental to, but rather an instrument of, the war. While it is true that the war has become increasingly complex and that atrocities were committed by all sides, its original characteristic as a war of aggression against the Republic of Bosnia and Herzegovina remains essential.

The international community and its institutions, including the United Nations, have been unable so far to address the situation in Bosnia and Herzegovina in an effective manner and have not stopped the war. This is at least partly a consequence of the absence of will to characterize the conflict with the necessary clarity and to define adequate remedies. The consequences of this situation for international peace and security are not yet fully evident. However, it has already become clear that the credibility of international institutions has been negatively affected. The Security Council which has, according to the Charter, "primary responsibility for the maintenance of international peace and security", should make the necessary efforts to achieve durable peace in Bosnia and Herzegovina and to restore United Nations credibility.

The path to peace in Bosnia and Herzegovina will not be easy, and it will require persistent efforts. Above all, the general fatigue should not allow the banality of evil to prevail. The most urgent tasks should be carried out immediately. Humanitarian aid must reach the victims, and obstacles to its delivery must be removed. The priority nature of humanitarian assistance is generally recognized, and the task of guaranteeing the delivery of humanitarian aid must be pursued with the necessary vigour.

However, humanitarian assistance is not a substitute for political solutions. Slovenia believes that the search for political solutions must be undertaken not only with full understanding of the urgency of the task but also with proper regard for the viability of such solutions from the point of view of their application in Bosnia and Herzegovina itself and from the point of view of the preservation of stability in the region. The time for good solutions is running out. However, the international efforts should continue, and the basic requirements for a just and durable solution ought to be upheld. Preservation of the Republic of Bosnia and Herzegovina is a vital element of stability in the Balkans and in Europe as a whole.

Moreover, the United Nations cannot allow the use of force against a Member State to be rewarded. Acceptance of the outcome of aggression would seriously undermine the basic principles of collective security upon which the United Nations is founded. By the same token, the violations of humanitarian law and human rights committed in the war in Bosnia and Herzegovina must not go unpunished. The basic norms of civilization have to be upheld through international action. Slovenia welcomes the creation of the International war crimes Tribunal and the fact that the Tribunal has started its work.

In connection with questions related to a settlement of the war in Bosnia and Herzegovina, I should like to quote from the recent joint statement of the Presidents of Slovenia and of the Czech Republic - Milan Kucan and Vaclav Havel - which was made available to the General Assembly in document A/48/703:

> "Above all, we appeal to politicians throughout the world, and especially in Europe, not to remain silent in the face of the destruction of basic human and civil values, the values of civilization, which is taking place with impunity in Bosnia and Herzegovina. We very much appreciate the good will of all those who are trying to resolve the conflict, but we are sure that it is necessary to define afresh principles and approaches in discussions on the future of this State. All plans to date concerning its future have accepted the principle of an ethnically pure State, which is in conflict with the idea of the European Union and with the basic values inscribed in the Helsinki and Paris documents of the Conference on Security and Cooperation in Europe. The ideal of a civil society, which is the foundation of that Union, as well as of the Europe of the future, is being most gravely trampled upon in the immediate vicinity of countries linked in the European Union." *(A/48/703, p. 2)*

I should add that this appeal addresses basic issues that should be of concern not only to the political leaders of Europe but to all political actors of the world.

The international community and its mediators should continue the efforts to achieve a negotiated, just and durable solution. Slovenia supports proposals made by the European Union - on the initiative of Germany and France - as a realistic point of departure for a new and fresh effort in the process of the search for peace. We hope that these proposals will be fully accepted by the parties concerned as the essential basis for negotiations to be pursued in good faith.

Only a solution negotiated in good faith and with full appreciation of the legitimate concerns of the Government of Bosnia and Herzegovina can be durable. Only such a solution can create the conditions for the voluntary and safe return of refugees and for other measures necessary to remedy the effects of "ethnic cleansing". Only a solution negotiated in good faith can pave the way to normalization in the area.

Mr. ***ABDELLAH*** (Tunisia) *(interpretation from French)*: The Arab Maghreb Union countries on whose behalf it is my honour to speak - Algeria, Libya, Morocco, Mauritania and Tunisia - consider the situation in the Republic of Bosnia and Herzegovina as undoubtedly the most serious tragedy to have confronted this Organization recently. It is a tragedy that pricks the conscience of the entire international community and constitutes a threat to international peace and security.

We do not need to recall here the vagaries of the tragedy that has been the lot of this young Republic, which is a Member of the United Nations, as everyone is aware of them.

For almost two years now, a small country at the very heart of Europe - a State Member of this Organization - has been the victim of clear aggression against its territorial integrity, subjecting its people to "ethnic cleansing" bordering on genocide, in which the most elementary principles of human rights and humanitarian law are flouted daily.

Information reaching us confirms the implacable and deliberate pursuit of a policy of escalation, which is dangerous for the future not only of Bosnia and Herzegovina but of the entire Balkan region. It is indicative of the expansionist designs of the Serb forces and of their persistent attitude of defiance towards the international community.

There have been 20 months of war, three international settlement plans and about 30 Security Council resolutions on the situation in the former Yugoslavia, some of which adopted under Chapter VII, as well as hundreds of casualties and thousands of refugees. This alarming situation was confirmed on 18 November 1993, at a meeting of the Security Council, by the Secretary-General's Special Representative, Mr. Thorvald Stoltenberg, to whom I should like, here, to pay a tribute for his patient and courageous action.

The lack of safety and the attacks on humanitarian convoys forced the International Committee of the Red Cross recently to suspend its assistance to the approximately 140,000 persons under Serbian control in Bosnia and Herzegovina. The various obstacles erected by the Bosnian Serbs prevented the convoys from reaching the Muslim areas - particularly Zelnica. With no compunction about opening fire on the Blue Helmets of the United Nations, the Serbian forces in Bosnia have prevented the deployment of those soldiers in certain sensitive areas.

Hospitals without electricity or heating, and sometimes abandoned by doctors for reasons of safety, are no longer in a position to treat the sick and the wounded. This situation is intolerable and obviously requires an urgent solution, not only from the humanitarian but also from the political and military points of view. This solution will necessarily entail the implementation, by appropriate means, of the relevant resolutions of the General Assembly and of the Security Council, as well as the active cooperation of countries in the region.

This cooperation is particularly necessary since the arms embargo decreed by the Security Council is penalizing the Bosnian Muslims, who, deprived of any military means, are not in a position to defend themselves and are thus subjected to the worst possible kind of pressure to accept a surrender which will, in the final analysis, be to the benefit of the Serbian aggressors, who are determined to win territorial advantages by force.

The Arab Maghreb Union countries have acted both individually and collectively in every international and regional forum to promote an equitable and lasting solution to this problem. We participated, for example, in the Organization of the Islamic Conference mission, at Foreign Minister level, which between 3 and 20 August 1993, visited Paris, London, Geneva, New York, Washington, Bonn, Moscow and Beijing.

While drawing attention to the seriousness of the situation and the urgent need for an equitable solution, the mission reaffirmed the following principles.

First, any settlement plan must guarantee the territorial integrity and the political independence of Bosnia and Herzegovina.

Second, such a plan should neither sanction the *fait accompli* nor allow the annexation of territories acquired by force.

Third, the United Nations and the major Powers, by acting promptly, energetically and fairly, will help to remove the impression that those involved in the settlement of this conflict are applying double standards.

Fourth, it is essential to put an end to Serbian aggression - if necessary by force - so that negotiations may continue in a calm atmosphere and humanitarian assistance may reach populations so harshly affected by the war and the rigours of winter.

Fifth, pursuant to Article 51 of the Charter, which recognizes the right of self-defence, the Bosnian Muslims should be excluded from the application of the arms and munitions embargo. Indeed, they have been the only ones to suffer from it; the Serbs have managed to circumvent the embargo by taking advantage of their situation in the field and through alliances they have formed and all kinds of collusion.

Sixth, the United Nations and the European mediators must promote an equitable solution, which, if possible, will avoid any partition of Bosnia and Herzegovina or at least guarantee the Bosnians a geographically and economically viable State, one which has access to the Adriatic Sea in the south and the Sava River in the north and which will support two and a half million inhabitants.

Seventh, Bosnia and Herzegovina, because of the destruction and immense damage it has undergone, should, for the reconstruction and defence of its territory, receive substantial and urgent aid from the international community.

Eighth, and finally, any equitable solution, to be lasting, must be guaranteed by the United Nations and the countries of the region in order to avoid any recrudescence of ethnic conflicts and territorial ambitions.

For our part, we still believe that only energetic and well-organized international action can induce the Serbian forces to abide by international law, by depriving them of the support that is enabling them without fear and with near-total impunity to display defiance and arrogance towards the principles of the Charter and international law. The sanctions imposed by the Security Council were unable to prevent the intensification of acts of aggression and the acquisition by force of larger and larger stretches of territory.

The draft resolution before the Assembly has the makings of an equitable and lasting solution to the problem of Bosnia and Herzegovina. Dealing with the problem promptly and efficiently will help to guarantee peace and security in a particularly sensitive region which throughout history has suffered great hardships.

By solving this problem, the United Nations will not only have performed its duty by implementing the principles of its Charter, but will also have forestalled other possible aggressions and potential ethnic conflicts which threaten the region, in a world which seeks a new equilibrium. The credibility of our Organization is at stake.

I should like in conclusion to pay tribute, on behalf of the Arab Maghreb Union countries, to all those who have so tirelessly worked to bring a just and lasting peace to the region and all those who, in the United Nations, the specialized agencies and the non-governmental organizations, have given freely - sometimes at the risk of their own lives - to bring assistance to displaced persons, refugees, the sick and all the other victims of this anachronistic war provoked by nostalgia for a bygone era.

The heroic struggle of the Bosnian Muslims for their very survival and to defend their territory and their legitimate rights, and the efforts of the United Nations and those others who provide humanitarian assistance should have our full support as well as our sustained action in order to expedite a final, equitable and acceptable solution to this conflict, which the media and public opinion are, regrettably, beginning to tire of because of the our Organization's inability to respond effectively and energetically to their expectations.

That is why the delegations of the countries of the Arab Maghreb Union appeal for the active solidarity of the international community, which, with decisive resolve, should mobilize all the means available in order to ensure that the universal principles of law and equity prevail in Bosnia and Herzegovina.

Mr. BATU (Turkey): The General Assembly debate on the situation in Bosnia and Herzegovina is taking place once again amid new developments and hopes that a peaceful and just settlement of the conflict may be approaching.

Since last year's debate the Security Council has set up the "no-fly zone", created "safe areas", established the International Tribunal, threatened to use air strikes against those impeding humanitarian convoys and decided to monitor the Serbian-Bosnian borders to prevent the flow of arms into the hands of the Bosnian Serbs. Regrettably, however, the Council did not exempt Bosnia and Herzegovina from the arms embargo, thus depriving the people of Bosnia and Herzegovina of their right of self-defence. Meanwhile, the Serbs continued their "ethnic cleansing".

The resolutions that the Council adopted, including those based on Chapter VII of the Charter of the United Nations, were half-hearted. The lack of will to follow them up with enforcement measures and the timid response to the aggressor put the Security Council in the position of an ineffective guarantor of international peace and security when it came to defending Bosnia and Herzegovina. It was therefore no surprise that during the course of the year the World Conference on Human Rights made a consensus appeal to the Security Council to stop the genocide taking place in Bosnia and Herzegovina. The world looked on as the people of Bosnia were once again let down.

The road leading to peace, security and stability in Bosnia and Herzegovina should not have been a tortuous one. Had good faith prevailed and previous agreements between the parties to the conflict been honoured by the Serbs, particularly those agreements pertaining to the cessation of hostilities and to ending the blockade of humanitarian relief supplies, the situation today would have been much different. To this date, the Bosnian Government has had to negotiate peace amid the bellowing sounds of heavy artillery in its capital. Despite its plight, it has outstandingly demonstrated good faith by actively supporting the latest peace initiatives.

We believe that the effective maintenance of a cease-fire and an end to all hostilities throughout the Republic of Bosnia and Herzegovina will help create the much-needed atmosphere conducive to honourably pursuing peace negotiations.

With respect to humanitarian relief convoys, the Serbs and Croats should honour their commitments to ensure cooperation with UNPROFOR in order to let the convoys proceed smoothly. There should be no hesitation over using force in any instance when the delivery of humanitarian relief is impeded by the so-called Serbian authorities. Today, once again, the Serbs are impeding the flow of relief and making a mockery of the international community. It is a fact that passivity on the part of UNPROFOR has always led to further Serbian defiance. Furthermore, in order to gain closer access to the population that urgently and desperately needs humanitarian relief, Tuzla airport must be opened, with no conditions attached.

The international community, having been a passive witness to genocide in Bosnia and Herzegovina, must now shoulder the responsibility of providing the Bosnian Government all the means necessary to maintain a viable State with a multi-cultural and democratic society. Accordingly, its capital, Sarajevo, must be preserved as a multi-cultural, multi-ethnic and multi-religious centre. All heavy weaponry around the city must be removed, and the siege must be lifted once and for all.

Any potential peace agreement must also include provisions to ensure effective implementation. The mistrust among the parties, owing to the dismal record of the Serbs in honouring their commitments, requires strict monitoring and verification of the agreement. The legitimate concerns and expectations of the Bosnian Government in this regard should be respected. Any final settlement must include international guarantees for the future security of Bosnia and Herzegovina.

The "carrot and stick" approach behind the last peace initiative should be considered with extra caution. Economic sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro) were imposed by the Security Council in the wake of blatant aggression against Bosnia and Herzegovina and massive violations of international law.

My Government totally rejects any implication equating the aggressor and the victim as responsible for the atrocities committed in Bosnia and Herzegovina. Such attempts are a betrayal and a distortion of the realities. There is no question as to who bear the responsibility for the ongoing tragedy in Bosnia and Herzegovina and who have had to defend themselves with their hands tied behind their backs against aggressors armed to the teeth.

Since the beginning of the crisis we have been seriously concerned about the threat of the conflict's spreading beyond the boundaries of Bosnia and Herzegovina. As a Balkan country with close relations of history and culture with the many peoples of the region, we are naturally equally concerned over the fate of the people of Bosnia and Herzegovina.

Turkey has thus far taken an active stand in support of all efforts to reach a peaceful settlement, and we shall continue to do so. We have mobilized all our means, humanitarian and financial, to help heal the wounds of the besieged people of Bosnia and Herzegovina. We have opened our doors to those who were uprooted from their ancestral homes. We have used every channel to assist the Bosnian Government and Croatia to arrive at a mutual understanding. Although prevented from participating in UNPROFOR, we renew our offers to take part and play a positive role in any international peace-keeping effort. We shall continue to support all serious efforts that would ultimately lead to a just settlement. After a viable and lasting peace is attained, we shall concentrate our efforts on assisting in the rehabilitation and reconstruction of the devastated country. We shall try to mend bridges which, not long ago in history, linked the peoples of Bosnia and Herzegovina together, rather than dividing them.

We ask members of the United Nations to support the draft resolution before us. We believe that it is well - balanced. It sends the right message to the Serbian aggressors and their collaborators.

Finally, I would like to express our feelings of admiration for the people of Bosnia and Herzegovina, who have valiantly withstood the agony and suffering inflicted upon them not only by the aggressor but by those who have insistently viewed them as the underdogs in the conflict. They can rest assured of our total and unqualified support.

Mr. SHKURTI (Albania): The item we are discussing today is related to one of the most important issues we have been dealing with for more than a year. It has to do with the resolution of one of the most tragic conflicts the world has known since the Second World War, and with the maintenance of international order and the safeguarding of respect for the principles and objectives enshrined in the United Nations Charter. It also has to do with the restoration of justice and the maintenance of the credibility of our Organization.

More than 19 months have passed since Serbia undertook its brutal aggression against Bosnia and Herzegovina, a Member State of the United Nations, and the consequences of the aggression have been worsening with every passing day. The Serbian aggression, committed by the Serbian military and paramilitary forces, has caused terrible human suffering. More than 200,000 people have been killed, millions of refugees have been forced to leave their homes, thousands of Muslim women have been raped, and much property, including historical and cultural monuments, has been destroyed. These are some of the tragic atrocities of the ongoing severe conflict in Bosnia and Herzegovina. Genocide and "ethnic cleansing", carried out with impunity, are threatening the Muslim people with extermination. Another sad record of this conflict is the fact that the victims of the conflict, the Muslim people, have been unable to defend themselves because they have been prevented from getting the necessary means of protection from extermination. The winter, which has already begun in the besieged cities and villages, threatens people with famine and death from cold.

In such conditions, we highly value the humanitarian efforts of the international community, in particular those of the United Nations, the Office of the United Nations High Commissioner for Refugees (UNHCR) and the International Committee of the Red Cross (ICRC). The delivery of humanitarian aid has helped reduce the human suffering and the loss of lives. However, we are concerned about the blockade, mainly by the Serb forces, of the humanitarian convoys.

The Republic of Albania has fully supported the actions undertaken by the international community to stop the war in Bosnia and Herzegovina. It has unreservedly supported the sanctions imposed by the Security Council on Serbia and Montenegro, aimed at putting an end to this conflict. It has actively taken part in the efforts of the international community to ensure full implementation of those sanctions.

We welcomed the decision of the Security Council to establish the International Tribunal in order to prosecute those responsible for genocide and other crimes against humanity. We warmly welcome its recent inauguration, and we hope that the Tribunal will carry out its work successfully. Acts of genocide, "ethnic cleansing", rape and other shameful crimes which have provoked the outrage of the international conscience must not go unpunished.

It is extremely regrettable that the international community has so far been unable to stop the war in Bosnia and Herzegovina. This conflict is a challenge to the world community. The events happening there tell us that without a collective response the barbaric acts of genocide and the abhorrent practice of "ethnic cleansing" cannot be stopped. The sanctions against Serbia and Montenegro have had an important effect on bringing the aggressor to the negotiating table, and we hope that they will play a major role in putting an end to the war. We believe that had the sanctions been accompanied by a proper military response to the aggression the conflict in Bosnia and Herzegovina would have been stopped before assuming its present tragic proportions. It is my Government's belief that implementing the sanctions is crucial in the efforts towards finding a lasting solution to the conflict.

We recognize the suffering of other countries, particularly the neighbouring ones, because of the sanctions regime. Albania is among those countries which have suffered great economic losses, and it is facing economic difficulties. But an early lifting of the sanctions, or any suspension or easing of them at this stage, would be a mistake, and it would have a gross negative impact on the solving of the conflict.

At the time when the Serbian party shows no signs of accepting a serious dialogue and when the war machine of the Belgrade authorities still remains unaffected, sanctions have to prove their effectiveness. The international community must be very careful not to give erroneous signals that could encourage the aggressor.

The Republic of Albania supports any solution that would be based on a free and fair agreement reached between the parties in conflict. In this context, we draw the international community's attention to the difficult position of the Bosnian Government. On the one hand, that Government is faced with human suffering in its country and has been prevented from protecting the Muslim people because of the arms embargo imposed against Bosnia and Herzegovina, and, on the other, we have the well-armed aggressor controlling 70 per cent of the territory through forcible "ethnic cleansing". Therefore, the international community must support the Bosnian Government to ensure equal participation in the peace talks.

The situation in other parts of the territory of former Yugoslavia is grave and deteriorating, particularly in Kosovo. The likelihood of an escalation of the conflict there is a matter of fact. The grave human-rights violations and the large-scale repression committed by the Serbian authorities against the Albanian population there, the military and heavily armed police presence there and the high level of tension, which has increased since the expulsion of the Conference on Security and Cooperation in Europe (CSCE) mission, make it clear that a spillover of the conflict in Bosnia and Herzegovina is quite possible. Therefore, we once again ask the Organization to take timely measures and actions, including the strict implementation of the sanctions, in order to prevent the extension of the conflict to other parts of the former Yugoslavia.

Albania, as one of the sponsors, strongly supports the draft resolution (A/48/L.50) we have before us today. The adoption of this draft resolution would be an additional support of the international community for the efforts aimed at putting an end to the conflict in Bosnia and Herzegovina. It will be a clear demonstration of the fact that the Organization is determined to abide by its principles and objectives. Through this draft resolution we would make clear that aggression must be punished and that we condemn "ethnic cleansing" and genocide. We would reaffirm that those who commit crimes against peace and humanity will be held accountable for them.

Mr. WALKER (United States of America): When the United States voted in favour of the corresponding resolution last year, we hoped that there would be no need for the General Assembly to vote on a similar draft resolution at this session. Unfortunately, those hopes were crushed by another year of aggressive war and gross violations of human rights.

One of the most chilling aspects of the Bosnian crisis is that it forces us to confront a number of horrific realities. There is no doubt that much of the human suffering that has engulfed the former Yugoslavia, and especially Bosnia, during the past two years cannot be attributed simply to the heat of battle. "Ethnic cleansing", mass rape, the denial of food and medicine, and the murder and torture of civilians were all part of a calculated military and political strategy. While victims and criminals can be found among all sides to the conflict, there is no doubt that the Bosnian Muslims have been the war's major victims and that the Bosnian Serbs have committed the vast majority of the atrocities that have horrified us all.

In this regard, the United States remains determined to make sure that the war-crimes Tribunal on the former Yugoslavia becomes an effective instrument of truth. We encourage all Member States to comply with the provisions of the resolution on the need to provide the necessary resources to punish those responsible for violations of international law. We remind all States, whether present here or not, that if they refuse to hand over for trial those individuals within their jurisdiction who have been indicted, they might be subject to international sanctions, while the accused will become international pariahs trapped within the borders of their countries.

We ask all States that have joined us in condemning the massive violations of human rights in Bosnia during the past two years to join us in ensuring the effectiveness of the war-crimes Tribunal. The victims of the atrocities in Bosnia cry out for justice, and we must do everything we can to ensure that those cries are answered.

With that in mind, let me add an explanation of our interpretation of paragraph 25. The United States values greatly the work done by the Commission of Experts, which has established a strong foundation for the efforts of the chief Prosecutor of the Tribunal. It is our hope that the chief Prosecutor will expeditiously begin the process of investigating and prosecuting violators of international humanitarian law in the former Yugoslavia. We support the Commission's continuing to collect information pending transition of its activities to the office of the chief Prosecutor, as contemplated by Security Council resolution 827 (1993). In our view, the Prosecutor's office of the war-crimes Tribunal, once it is fully functioning, will include within it all of the current functions of the Commission. A full and complete transition is necessary in order to protect the authority of the chief Prosecutor's office and the integrity of the entire process.

My Government's views on what needs to be done in Bosnia have not changed. We stand by our previous decisions. Those of the Serbian side must understand that the beginning of their reintegration into the civilized world and a lessening of international pressure is impossible until a peace agreement is reached and they demonstrate a sincere willingness to implement it.

No one should read this draft resolution (A/48/L.50) as an invitation to delay, or to encourage delay, in achieving a negotiated agreement, for the draft resolution speaks forthrightly about the costs paid by innocent victims in the absence of a settlement. That, in my Government's view, is a significant part of the meaning and intent of this draft resolution: to emphasize the primacy of humanitarian concerns. While the human suffering that this conflict causes daily cannot finally be ended without a negotiated settlement, we - parties to the conflict and all concerned - must see to it that humanitarian assistance reaches innocent victims. The United States remains willing to do its share to help alleviate humanitarian suffering in the former Yugoslavia. In fact, since 1991, the United States has provided over $447 million in humanitarian assistance. We shall continue to monitor humanitarian needs and shall consider further funding as required.

Under the draft resolution under discussion here the General Assembly would call upon the parties and the international community to do, and to refrain from doing, many things. The list is long because, sadly, the conflict in Bosnia, as in Croatia, has yet to be resolved by the only means possible: voluntary agreement by the parties to a viable political settlement. For my Government, it is this issue that is at the heart of the draft resolution. We hope that the commendable efforts of Lord Owen and Mr. Stoltenberg, with the active involvement of the European Union, will at long last help the parties reach an agreement that is both just and freely agreed to.

Mr. NOBILO (Croatia): The bedrock of the international community's policy towards Bosnia and Herzegovina thus far has been the aim of remedying the horrific humanitarian consequences of the war.

The Republic of Croatia, despite being hampered itself by the consequences of the Belgrade aggression, continues nevertheless to be at the forefront of that humanitarian effort. Through 31 October 1993, the Croatian Government had spent an estimated $773 million in direct financial outlays for the care of Bosnian refugees, of which at least three fourths was for the care of the Bosnian Muslim refugees. Since they also get free public transportation, education and medical care in Croatia, total costs are likely to be much higher. At the present rate, the Croatian Government is likely to spend another $205 million for their care through the winter.

Along with some 300,000 Bosnian refugees in Croatia, my Government is also taking care of some 250,000 of its own displaced persons, bringing our direct financial outlays in this regard to $1.52 billion so far.

My Government has been able to manage the tremendous social costs because of large contributions from individual taxpayers. The citizens of Croatia paid 38 per cent of their income in a social-programmes tax in 1992, on top of the regular income tax of 22 per cent.

Over the past two years the Croatian Government has received pledges of $64 million in grants for the care of displaced persons and refugees, of which $49 million has been paid so far. Virtually all the grants have come from European official and private institutions, to which we are deeply grateful. But in all fairness, this is far below any reasonable expectations. We are especially concerned that this assistance and sustenance aid continue to decrease while our burden is increasing.

I take this opportunity once again to appeal to the international community, especially non-European Governments, to consider more closely the burden faced by my Government and the Croatian people in this regard; my Government needs their assistance in caring for all of the refugees and displaced persons in Croatia. Likewise, my Government needs their help in promoting a policy that binds all parties in Bosnia and Herzegovina to peace, not to war.

The international community has to a large degree condoned the only significant hostilities in Bosnia and Herzegovina, apart from the shelling of Sarajevo, that have occurred since late in the spring: the offensives by Bosnian Muslim armed forces against the Bosnian Croat enclaves in central Bosnia. This has caused tremendous financial costs to Croatia because of the new wave of refugees, and more important, it has resulted in tremendous human costs to the Croat community in Bosnia and Herzegovina. Not only my Government, but the Croatian people, view that indifference with serious concern.

We must recall that the Croat community was the first victim of Serbian aggression in Bosnia and Herzegovina, in Ravno and in Kupres, months before the siege of Sarajevo began. Furthermore, we cannot underestimate the role that Bosnian Croats have played in the resistance to Serbian aggression in Bosnia. Without the Croatian

Defence Council, there would be no Republic of Bosnia and Herzegovina today.

My Government has taken many steps to stem the fighting in central Bosnia between Muslims and Croats, especially through the offices of my Foreign Minister, who has met on numerous occasions with both the Bosnian Muslim and the Bosnian Croat leadership. We have tried to impress upon both sides that their conflict is only aiding the Belgrade authorities and their proxies, who remain the major threat to peace and stability in the region. However, the consequences of Serb aggression, which has forced 60 per cent of Bosnia's population to live on 30 per cent of its territory, combined with the scarcity of resources and with lawlessness, have largely overwhelmed my Government's initiatives for peace.

The war in Bosnia and Herzegovina has deteriorated from clear-cut Serb aggression against Muslims and Croats to a conflict between all three sides. Even worse, the conflict is now "valley against valley", with no clear pattern and with continuously shifting alliances.

My Government has been more successful, however, in promoting respect for international humanitarian law regarding the delivery of much-needed assistance to central Bosnia and other imperilled areas. Between 17 October, when the Joint Commission made up of representatives of Bosnian Muslims, Bosnian Croats and international aid groups was formed on the initiative of my Government, and 13 December, 244 convoys with some 14,000 tonnes of food have left Croatia through Bosnian Croat-controlled territory.

Even though food convoys pass through freely to central Bosnia, some convoys have recently been delayed. These convoys, however, were carrying supplies and raw materials with multiple uses. In that regard, we call on international agencies to show the necessary concern to provide guarantees that multiple-use materials will not be misused for military purposes against the Bosnian Croat side.

We have consistently encouraged the Bosnian Croat authorities to take stricter measures related to discipline in their armed forces. We have allowed members of the Croatian Army with dual citizenship to return to Bosnia and Herzegovina with exactly this in mind: to strengthen the moderate wing of the Croatian Defence Council and thus to neutralize the extremist elements. My Government will continue to put pressure on the Bosnian Croat authorities on this very important issue, in this way and in other ways.

My Government has consistently pursued a policy focused on political negotiation and peace for my country and for Bosnia and Herzegovina. This is why we pursued negotiations even before the hostilities started, and why we always advised the Bosnian Croat leadership to accept the peace plans mediated by the international community. The Bosnian Croats cooperated with the European Community initiative for a referendum on the independence of Bosnia and Herzegovina, and later supported the Cutiliero plan, the Vance-Owen plan, and now the Owen-Stoltenberg plan as concluded on HMS *Invincible*.

The commitment of the Croats to a peaceful solution is evident not only in their support for all the peace plans, but also in their compromises in the Owen-Stoltenberg plan. The European Union has recognized this, and the Bosnian Croats have not been requested to make any additional concessions in Geneva.

Some still promote a military solution to the crisis in Bosnia and Herzegovina, despite the fact that none of the sides have been able to move the present front lines significantly. We do not believe that this is the best solution, unless it combines outside military intervention with the lifting of the arms embargo for both victims of Serbian aggression: the Muslims and the Croats. Instead, we support international guarantees for the implementation of the peace plan, including Serb withdrawal from the proposed Muslim republic. Since the international community has spoken clearly against intervention and the lifting of the arms embargo, we have accepted the second best option for peace in Bosnia and Herzegovina: the Owen-Stoltenberg plan. We too would have preferred the first option, and should not be blamed if it was not possible for our wishes to be realized.

My Government's interests in Bosnia and Herzegovina have been clearly stated from the beginning: to protect the smallest of the three communities there and to limit the risk of military advances towards Croatia's Adriatic coast. In judging the overall situation in the region, one must have in mind that one of the primary objectives of the war has been the acquisition of the Croatian coast.

We wish to stress once again that, other than outside military intervention against the Belgrade army and their proxies, political settlement under the auspices of the International Conference on the former Yugoslavia is the best option for ending the war in Bosnia and Herzegovina and in the region. That is why my Government has strongly supported the recent plan of action by the European Union, which is consistent with the earlier peace initiative of my President. We strongly believe that the sanctions regime and the international isolation of the Belgrade authorities are of even more critical importance to a peaceful settlement than any limited military options. In that regard, we call on the international community to show the utmost caution in the suspension of sanctions, since the sanctions have proven to be the only successful measure undertaken against the Belgrade regime.

The question of sanctions must be linked not only to Bosnia but also to the problem of United Nations Protected Areas in Croatia, in accordance with Security Council resolution 871 (1993). If we do not solve the problem of occupied territories in Croatia, the suspension of international isolation and sanctions against Serbia and Montenegro could result in a new war between Croatia and Serbia, engulfing Bosnia as well. A *modus vivendi* in Croatia can only be a logical short intermediate step towards building confidence in the reintegration of these areas into Croatia's political and legal system and in the definition of cultural and local autonomy for the Serbs in the area. Belgrade has to recognize Croatia's international borders before it is allowed to emerge from international isolation.

I must add that my Government and the Croatian people have been greatly distressed by the pictures in the media regarding Ahmici, Stupni Do and the old bridge in Mostar, but we must also note that the acts in question were not committed by the Croatian nation: they were committed by extremist Bosnian Croat elements, whose criminal behavior we condemn in the most absolute terms.

We sincerely hope that war crimes committed by all sides are brought before the International war-crimes Tribunal as soon as possible. This will promote reconciliation between the communities and help the numerous refugees and displaced persons feel safe about returning to their homes. As the sanctions regime is the most critical element in stopping the war, the Tribunal must be the most critical element in sustaining peace.

In conclusion, Croatia can honestly say with full confidence that, along with its humanitarian aid and other critical assistance early in the war, it may have contributed more to the survival of the Bosnian Muslim community than any other single country. My Government is proud to say this, because the willingness of the Croatian people to help the Bosnian Muslim community extends beyond politics and the realities of central Bosnia. It is a true harbinger of reconciliation and peace between the peoples of the region.

My Government will continue its positive efforts with respect to the Bosnian Muslim community and, particularly after we have achieved peace, we shall exert efforts to link the Muslim-majority Republic, through Croatia, with the Europe "of order", so as to prevent an escalation of activities by militant elements such as those who killed 12 innocent Croatian citizens in Algeria only a few days ago. We have already begun to promote this cooperation through the new Bosnian Croat Council, made up of Croat leaders throughout Bosnia and Herzegovina. This is another reason why my delegation is going to support the draft resolution before us.

To achieve these wider international-security priorities, we cannot overemphasize that post-war reconstruction assistance will be of critical value to all of the victims of Serbian aggression. My Government considers the issue of economic stability to be the main pillar of a successful peaceful settlement of any crisis and has often taken drastic steps to keep its economy stable. We hope that the European Union peace plan will give full priority to these economic aspects, which are critical for peace and stability in the region.

Mr. TAYLHARDAT (Venezuela) *(interpretation from Spanish):* Since the beginning of the crisis in Bosnia and Herzegovina, Venezuela has sought to do its part in the quest for a solution to this problem, which is, without any doubt, one of the most complicated and difficult problems the United Nations has had to face; and over the last two years, the situation in the former Yugoslavia, particularly in Bosnia and Herzegovina, has been one of the most delicate issues with which we members of the Security Council have been called upon to deal.

On many occasions my country, along with the other members of the Council that belong to the Non-Aligned Movement, has proposed vigorous and unambiguous responses to the disturbing dimensions this crisis has assumed over time. But our proposals were seconded on only a few occasions. For various reasons and because of changing circumstances, the international community settled for limiting its involvement on the ground and allowing the nature of the conflict to set the parameters within which a political solution could be negotiated. It is clear that the conditions did not exist for the Security Council to resort to all the means available to it under the Charter. There was no choice but to accept the evidence of the political realities that define this crisis and that continue to shape the possible modalities for a solution.

Venezuela has always held the conviction that if more determined and more decisive action had been taken at the critical early stages of the crisis, the magnitude and violence of this war could have been better controlled. By the same token, more categorical and effective warnings should have been issued to all those who would settle territorial, ethnic, religious or nationalistic claims by force. The destructive force of these trends is still making itself felt, and we cannot be satisfied with the way in which the international community has sought, thus far, to face this painful, indeed tragic, conflict.

The instability in the Balkans has not been set right, and its example is spreading. The United Nations has transferred the primary political responsibility for the solution to this conflict to regional forums and the groups of countries most directly affected, as is shown by the various initiatives within the European Union, the North Atlantic Treaty Organization (NATO) and the Washington Group. As a result, the United Nations has been distanced from the solution to the crisis in Bosnia and Herzegovina. The remaining connections, particularly through one of the co-presidencies of the International Conference on the Former Yugoslavia and of the United Nations Protection Force (UNPROFOR), are focused on helping achieve a political settlement negotiated directly by the parties, responding to the humanitarian crisis and ensuring the application of the sanctions regime. The full range of responsibilities of the United Nations in the event of agreement on a peace settlement remains to be clarified.

The draft resolution on Bosnia and Herzegovina before the Assembly embodies, to a great extent, the concerns Venezuela has felt and the positions it has taken throughout the crisis and its determination to continue promoting the quest for solutions that are consistent with this Organization's basic, underlying principles. However, experience and the prevailing international political realities make it advisable for us to give priority to any effort aimed at putting an end to the hostilities and forestalling any risk of a spread of military activity. The opportunity of preserving a multi-ethnic and multireligious State in Bosnia and Herzegovina appears to have been lost. There was a time when recourse to "all necessary means" to preserve that option seemed to be a real possibility, but it no longer appears feasible. At one time Venezuela sponsored that view, as is reflected in our positions in the Security Council.

Today we must say that suspending the arms embargo or encouraging the exercise of the right to self-defence would amount, in the context of the war in Bosnia and Herzegovina, to an invitation to revive hostilities and deepen the conflict, and there would be no political or military possibility of such steps helping to roll back the situation to its original state. The role of the United Nations is not to impose peace through war but to promote peace through negotiation and reconciliation. Today a fair, equitable, stable and definitive peace settlement, with the participation of all the sectors involved, is the only way out of this conflict.

Venezuela is honoured that a Venezuelan citizen was appointed Prosecutor of the International Tribunal to judge war crimes in the former Yugoslavia. We can assure the Assembly that Mr. Ramón Escobar Salón, Prosecutor of the International Tribunal, in carrying out his functions with consummate competence and with all the devotion and dedication this important post requires, will live up to the expectations of the entire international community.

Venezuela fully understands the positions of Bosnia and Herzegovina and respects its right to a decision by the General Assembly in this regard. However, our analysis of the draft resolution, in the light of the considerations I have set forth, in particular in connection with operative paragraphs 17 and 18, will lead us to abstain in the voting.

We note with concern that much remains to be done before the causes of the conflict in Bosnia and Herzegovina and its multifarious consequences cease to appear on our agenda and to require our attention. Venezuela, whose term in the Security Council will come to an end on 31 December, will continue to promote any initiative that could lead to a solution to this painful problem. We will continue to support efforts to put an end to this sad episode of modern history. Our position is defined by objective policies guided by our commitment to peace and by the ties of friendship that we maintain and wish to strengthen with all the nations of the former Yugoslavia.

We trust that the peace negotiations to be held in Geneva on 21 December and in Brussels the following day will lead to an end to the hostilities and pave the way to a lasting solution. We also trust that these meetings will result in a firm commitment from all the parties to facilitate the flow of international humanitarian assistance to ensure that the suffering people of the former Yugoslavia, having experienced the horrors and appalling consequences of the war, are at least spared the hardships of the cruel winter that Europe is already experiencing.

The meeting rose at 6.35 p.m.

United Nations

GENERAL ASSEMBLY

FORTY-EIGHTH SESSION

Official Records

84th PLENARY MEETING

Monday, 20 December 1993
at 10 a.m.

NEW YORK

President: Mr. INSANALLY
(Guyana)

The meeting was called to order at 10.35 a.m.

AGENDA ITEM 42 *(continued)*

THE SITUATION IN BOSNIA AND HERZEGOVINA: DRAFT RESOLUTION A/48/L.50

Mr. BAUMANIS (Latvia): Today the General Assembly continues addressing the item "The situation in Bosnia and Herzegovina", which for the last 20 months has been the focus of attention within the international community. The Republic of Latvia would like to take this opportunity to stress its full and complete support for the adoption by the Assembly of the draft resolution concerning the situation in Bosnia and Herzegovina, and in particular the urgent request that the Security Council consider exempting Bosnia and Herzegovina from the arms embargo.

For nearly two years the world community has been expressing its continuing horror and anguish at the genocide, "ethnic cleansing" and gross violations of international humanitarian law committed against the Bosnian people, especially the policy of Serbia and Montenegro and the Bosnian Serbs of deporting and massacring civilians, bombing urban communities and building concentration camps.

Latvia commends the efforts that have resulted in the provision of limited humanitarian relief to the people of Bosnia and Herzegovina. Thousands of people have been fed and have received medical care. Thousands of lives have been saved through the gallant efforts of the United Nations peace-keepers present in the former Yugoslavia.

The necessity of finding appropriate solutions and taking effective collective measures for the prevention and removal of threats to peace brought the United Nations together 48 years ago. Those principles are enshrined in the very first article of the Charter of our Organization. It is essential that the United Nations take effective collective measures for the suppression of acts of aggression or other breaches of peace. I emphasize that these must be effective measures which would help put a halt to the present questioning of our Organization's credibility - for the credibility of the United Nations is now at stake.

The lack of political will on the part of those who had the power and the means, and who bore the special responsibility to carry out and ensure the implementation of the Security Council's decisions, sends a very disturbing message. In the case of Bosnia and Herzegovina, responsibilities under the Charter have not been fulfilled, and the United Nations has failed to implement effectively the Charter's collective security provisions. That fact alone is bound to have a major negative impact on the outcome of both current and potential conflicts.

Our Organization is based on the principle of the sovereign equality of all its Members. The feeling that some Members are more equal or less equal than others is therefore regrettable. The United Nations must pay attention to the problems of both large and small States. The security of all States should be a central concern of this Organization.

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Latvia considers the establishment of a precedent of dividing a Member State in the face of aggression to be a questionable solution. If the Serbian conquests and the tragic results of "ethnic cleansing" are allowed to stand, it will set an unfortunate precedent for all potential aggressors around the world. We have seen the model of Serbian aggression re-enacted in Moldova and in Georgia. It is not difficult to foresee that there will be more conflicts in the future, since the Serbian aggression in Bosnia and Herzegovina has to date been a low-cost and low-risk campaign with high yields.

This Organization has imposed a punishing arms embargo on the former Yugoslavia that has effectively established moral equivalence between the victim and the victimizers. The arms embargo, imposed on the former Yugoslavia by Security Council resolution 713 (1991), has resulted in a situation in which one side of the conflict, more heavily armed than the other, has been able to abuse the negotiation process. While putting forth a well-orchestrated appearance that it seriously wishes to negotiate peace, this side has continued its armed aggression and atrocities against the people of Bosnia and Herzegovina.

Through its co-sponsorship of the draft resolution before the General Assembly, Latvia wishes to affirm its position, previously expressed by its co-sponsorship of General Assembly resolutions 47/121 and 46/242, that the Government of the Republic of Bosnia and Herzegovina should be exempted from the arms embargo imposed on the former Yugoslavia by Security Council resolution 713 (1991), for the sole purpose of enabling Bosnia and Herzegovina to exercise its inherent right of self-defence. If the international community cannot provide effective defence, it cannot morally deny the right of self-defence to the people of Bosnia and Herzegovina.

The right to self-defence is an inherent right of any sovereign State. It is one of the fundamental principles of international law enshrined in the Charter. No international body has the right to take it away or to curb it, especially if it cannot or will not provide an adequate defence for the victim. To continue to impose a stranglehold on a victim engaged in a life-or-death struggle is morally and legally unacceptable, as is the non-differentiation between aggressor and victim. Bosnia and Herzegovina is part of our family of nations and it deserves a defence of its territorial integrity and sovereignty.

Mr. KOVANDA (Czech Republic): It bears recalling that the situation in Bosnia and Herzegovina which we are deliberating today is the third war to take place on the territory of the former Yugoslavia. First came the short war between Serbia and Slovenia for the independence of Slovenia. Then came the war between Serbia and Croatia for the territorial integrity of Croatia. This third war is being waged for the very existence of Bosnia and Herzegovina. Of the three, it has been in many ways the most devastating.

First, the war is destroying a country. No matter what some may feel today about how viable Bosnia and Herzegovina was in the first place, the fact is that this country was widely recognized internationally as an independent State and admitted as such to membership of the United Nations. Today this State is perilously close to dismemberment. There is talk of a loose confederation, of a union of Republics of Bosnia and Herzegovina. We are not here to give anyone advice on how to organize their own country, but in creating our own State we were guided by the experience that confederations are basically unstable. We therefore fear that such a union, if created, might rapidly disintegrate, perhaps into three mini-States, with two of them perhaps merging with their neighbours. Bosnia and Herzegovina as we know it will have ceased to exist.

Secondly, the war has destroyed our illusions. The cold war is over, but local troubles have multiplied. Its end has brought nothing but torment to Bosnia and Herzegovina. In the face of a determined aggressor, European and international diplomacy has proved impotent. For Bosnia and Herzegovina, the new world order has turned into an old Balkan chaos. For this country, bodies such as the Conference on Security and Cooperation in Europe and others have done little for cooperation and even less for its security.

Thirdly, there is what one might call the "regular" destruction wrought by war. The war has etched into our consciousness polysyllabic names with which few were familiar before, such as Sarajevo and Srebrenica. It has expanded the arsenal of present-day warmongers with new weapons systems and euphemisms, such as "ethnic cleansing". It has added to the array of military tactics an unbelievably brutal one, one available to even the poorest army: the use of systematic rape for subjugating the adversary. It has enriched the vocabulary of Orwellian newspeak by such terms as "safe areas", where people rejoice over foggy weather because the snipers cannot target them as carefully, or indeed, again, "ethnic cleansing" - which makes bullets sound like disinfectant, cutthroats like janitors or charwomen.

All of this is the consequence of extremist nationalism and religious intolerance. The Czech people are astonished that, at the end of the twentieth century, extremists espousing such ideologies can still prevail. Nationalist hatreds pitting Serbs against Croats, religious hatreds pitting Orthodox Christians against Catholics, and both of them against Muslims, is something we felt Europe had outgrown.

Extremist nationalism is an anachronistic concept of statecraft. Surely one lesson of the twentieth century has been that countries whose *raison d'etat* is based on ethnicity or religious dogmatism are more problematic, both for their own people and for their neighbours, than countries based on civic principles - that is, on principles of equal human rights for all citizens, irrespective of their creed, mother tongue or skin colour, and of the equality of all citizens before the law.

Ethnicity is seldom a satisfactory guide to drawing international borders. Different-coloured patches on the map seldom represent an ethnically uniform population. More usually, a State with blue people contains an area with red people; this red area contains a blue village; this blue village contains a block or two of red houses. Boundaries between ethnic groups are seldom sharp. Ethnic groups are usually intermingled, dividing lines between them are usually fuzzy, best described by the new mathematical field of fractal geometry. In fact, these boundaries pass right through us personally. Few of us are pure red or pure blue - we are mostly different hues of purple or violet, lilac or lavender.

Therefore, the creation of enclaves built on ethnicity is probably not much of a permanent solution. It is even less a solution for Bosnia and Herzegovina, a country which was quite exemplary in the tolerance its population used to exhibit. This country of 4 million people featured 300,000 mixed marriages, among all three groups. It demonstrated and exhibited in practice the virtues of a civic society based on the equality of citizens.

Reducing Bosnia and Herzegovina to an ethnically "pure" Muslim Bosnian mini-State is hardly a solution to today's tragedy, even if Bosnians themselves were to agree to it. It would more likely amount to another problem, one which would come back to haunt us in the future. The solution we all really need is not only one that will be agreed to by all parties concerned, but also one that will guarantee a stable and lasting way out of the crisis.

The draft resolution we are to vote upon is one of wholehearted support for Bosnia and Herzegovina. My delegation views it with great sympathy, but we share certain misgivings that several other delegations have voiced here. We will not be able to vote in favour of it. Nevertheless, I am authorized to point out in this context that, with the passing months, the Czech Republic is less and less sure of the wisdom of maintaining the arms embargo on Bosnia and Herzegovina.

Mr. ERDŐS (Hungary) *(interpretation from French)*: The terrible tragedy that continues to rend Bosnia and Herzegovina is an event without precedent in post-War European history. For 20 months we have been spectators - helpless spectators - of aggression, territorial conquest, "ethnic cleansing", intolerance of every kind, and continuing massive, flagrant, systematic violations of human rights. It is hard to resign ourselves to this situation, but the international community has thus far proved incapable of dealing with the true dimensions of the crisis and of resolving it. Most regrettably, that is no less true of international and regional organizations affected by the conflict than of the individual States that make up our world Organization.

So it is no surprise that Hungary should share the frustration and disappointment of the sponsors of draft resolution A/48/L.50. One wonders about the reasons for this inability to respond to legitimate expectations with respect to effective United Nations participation in the settlement of the crisis in the former Yugoslavia, and particularly in Bosnia and Herzegovina. In that context, the admirable role played by the international community in providing humanitarian assistance, however vital, to the Bosnian people is nothing more than a surface endeavour and is no substitute for a political approach and for the search for a comprehensive, lasting and fair settlement.

We are firmly convinced that in that search we cannot disregard the fundamental distinction between aggressor and victim. If we fail to make that crucial distinction, if we prove willing to tolerate the acquisition of territory by armed force, if we acquiesce in situations resulting from the forcible alteration of the age-old ethnic composition of entire cities and regions, if we allow those responsible for these crimes to escape justice, we shall only be encouraging those who are behind these designs, whetting their appetites, suggesting that aggression pays, and destroying the United Nations system.

In so doing we would also be giving unintentional support to the ambition - unbelievable in the Europe of the late twentieth century - to gather, through violence, communities belonging to the same ethnic or religious family in an ethnically pure nation-State, and thus to build new Berlin walls and establish new ethnic and religious segregation. Such a message from the international community would be calamitous, and its consequences in the region and beyond would be unpredictable. We can harbour no illusions about containing or localizing the consequences of this tragedy, or sparing the rest of the world from them. It is no less erroneous to think that this is the way to fight flagrant demagoguery, aggressive nationalism, virulent revanchism or bellicose behaviour wherever they appear amidst the storms that blow in such places as eastern Europe. The particularly bloody modern history of our old continent has more than once shown the baleful and shameful result of such attitudes.

As it searches for a solution to the tragedy, the international community has something to rely upon, something to inspire it: the relevant resolutions of the General Assembly and the Security Council and the documents of the London International Conference on the former Yugoslavia, which set out the principles that must be the basis of any solution to the crisis in Bosnia and Herzegovina. Those principles include the cessation of hostilities, the safeguarding of the country's sovereignty and territorial integrity, the inadmissibility of the acquisition of territory by force, the elimination of the consequences of "ethnic cleansing", and the return of refugees and displaced persons to their homes. All those principles, which Hungary supports unreservedly, are of crucial importance. Indeed, a just and lasting settlement would be inconceivable unless they were taken into account. Nor could genuine peace and security be restored without a settlement of the problems relating to the crisis in other parts of the former Yugoslavia. The question is whether or not the international community is prepared, whether or not it is ready to champion the principles it has so often proclaimed. The necessary determination appears still to be lacking. That is why we attach such importance to reaffirming our commitment to those principles.

The international community and world public opinion are understandably disappointed at the continuing violation of the provisions of the Security Council resolutions on Bosnia and Herzegovina, and at the prospect of the dramatic dismemberment of a State Member of the United Nations. They are baffled by the failure of the United Nations system of collective security and are bitter about the dubious effectiveness of efforts to remove the consequences of aggression. The serious failure of the international community fully and consistently to implement its own decisions and resolutions underlies the tragic current situation in Bosnia and Herzegovina 20 months after the beginning of the siege of Sarajevo, eight months after the designation of eastern Bosnian cities as "safe areas", and after the death of 200,000 persons, the exile of millions of refugees and the destruction of a priceless historical heritage that belongs not only to the peoples of Bosnia and Herzegovina but to the cultural heritage of the world.

We know that there can be no solution to the crisis other than a political settlement negotiated in the framework of the International Conference on the former Yugoslavia. That is no less true for our being aware that the Vance-Owen and Owen-Stoltenberg plans are less than perfect and that an "ideal" peace will be impossible to achieve.

We also note that the proposals contained in the Geneva package are not always in conformity with the principles set forth in Security Council resolutions and in the documents of the London Conference. At this stage, however, we believe that our main objective should be an immediate end to the bloodshed.

Hungary supports the draft resolution before us, which is sponsored by some 40 countries. We know how valuable were the efforts that, during consultations, the sponsors made to have the text amended and improved significantly. We also take note of paragraphs 17 and 19 of the draft resolution. We venture to hope that this draft resolution, once adopted, will serve as an uncontestable reminder of the facts, will offer a strategy for a settlement, and will make a contribution to the efforts under way to find a solution which, in extremely difficult and delicate circumstances, would be in conformity with the European Union's initiative on the former Yugoslavia and would faithfully take into account the noble principles that underlie the entire system of international relations.

Mr. TATTENBACH (Costa Rica) *(interpretation from Spanish)*: We regret that, once again, we have to participate in a debate on the situation in Bosnia and Herzegovina. I say "regret" because, since the last occasion on which we discussed the question, the situation in that unfortunate region of the world has not improved at all. Indeed, it has worsened considerably, both in political terms and in terms of respect for humanitarian law.

Aggression against a State recognized by the United Nations and the unlawful appropriation of a large portion of its territory are a regrettable fact with which we must live daily. Equally reprehensible are the horrendous violations of human rights, committed not impulsively, in the heat of passion, but as the result of carefully planned political action to weaken the morale of the victim. It is not necessary to go into the details, as we are all familiar with them. So we simply express the regret we feel at having to speak about the matter.

What is surprising about all of this is that practically all States Members of the United Nations are familiar with the situation and earnestly hope for an end to the flagrant violations of the Organization's Charter and of human rights. Why, then, has nothing been accomplished during this long period? Nobody has a clear remedy at hand. When people talk about this matter the response is almost always the same: we were taken by surprise, and now it is difficult to do anything effective - except for an active military intervention, which, for obvious reasons, no State wants to risk. This determination is intended to be realistic, but it has merely resulted in pessimism.

My delegation believes that we must guard energetically against this attitude. We cannot - we must not - allow a State Member of this Organization to disappear gradually, before our very eyes, as the result of the totally unjustified aggression of a neighbouring State. If we accepted such aggression, we would bring discredit on the United Nations, which, basically, was created to prevent such situations. We must therefore make every physical and moral effort to avoid the obliteration of a State and to protect the prestige of this Organization.

The draft resolution which is before the Assembly, and of which my delegation is a sponsor, is indeed designed to ensure that everything possible is done to achieve that objective. As can be seen from a reading of the draft, it contains many varied ideas - all of them realistic and properly focused. It could be said that none of these ideas, on its own, is sufficient to reverse the situation in the former Yugoslavia. Together, however, they could bring some relief.

Above all, this draft resolution has the merit that it would ensure that the tragedy in Bosnia and Herzegovina does not fall into oblivion. That is precisely what the forces of aggression would like to happen. But it must not happen. We cannot accept the ominous thought that whenever there is less talk of Bosnia and Herzegovina, there appears to be less interest in the subject. We must continue to talk about Bosnia until something is done.

The delegation of Costa Rica believes that words which are sincere and well-intentioned cannot be idle words. For this reason, we are confident of the value of this debate and of the need to ensure that the draft resolution before the Assembly is approved overwhelmingly.

Before concluding, I should like to refer once again to the arms embargo against Bosnia - something that has always been difficult to defend. We have on other occasions expressed our opposition to this embargo, contending that it limited the right of self-defence of a State that has been the victim of aggression. We agree that the situation that has been created as a result of the relevant Security Council resolution is not easy to resolve. The embargo was imposed on all the parties involved in the struggle in the former Yugoslavia, and we understand why there are those who believe that it would now be difficult to lift it in respect of just one party without undermining the basic reason for the embargo in the first place. However, any solution must make it possible for the defenseless victim of aggression to exercise the indispensable right of self-defence - a right that no one else can give it.

I should like to remind the Assembly that, 50 years ago - during the Second World War - before the United States had declared war on the Axis countries, there was a strong feeling in the United States in favour of the Allies and against the Axis countries. Before the United States declared war, however, it had to maintain neutrality and to refrain from supplying weapons to friendly countries, including Canada. But a stratagem was used: military aircraft that it desired to give Canada were placed close to the border between the two countries, just a few metres from Canadian territory. Crews were not provided, and the engines were not running; the aircraft were towed by rope across the border, into Canadian territory. This stratagem, which was conceived by the Government of President Roosevelt, of fond memory, was used on many occasions. Often, it was seen in the newsreels which at that time were shown in cinemas before the feature film. It was a clever ploy of the great President Roosevelt, and it took care of a difficult situation without violating any laws.

We wonder what has happened to the rope that was used at that time. Could not someone today find a similar means of coming to the assistance of Bosnia? We hope that such a person will appear.

Mrs. JAGAN (Guyana): The Guyana delegation wishes to express its profound sorrow at the tragic situation existing in Bosnia and Herzegovina. We are gravely concerned at the agony and extreme suffering of the peoples of Bosnia and Herzegovina. It is regrettable that after almost five decades since the end of the Second World War there should be a situation in Europe which again causes pain and distress throughout the world. There have been serious violations of human rights that have horrified the international community.

The Charter under which the United Nations operates makes clear that one of the main purposes of the Organization's existence is the maintenance of international peace and security. In this context it calls for the taking of effective collective measures for the prevention of war and the removal of all threats to peace, as well as for the suppression of all acts of aggression and other breaches of the peace. The *raison d'être* of the United Nations is to use its offices to bring about by peaceful measures and in conformity with the principles of the Charter and international law the settlement of disputes which lead to conflict.

The question one may ask is: has the United Nations fulfilled its duties and commitments as regards the situation in Bosnia and Herzegovina? We know that the Security Council has been seized of this issue and has in fact adopted several resolutions thereon. However, despite that, the suffering, loss of life and physical destruction continue unabated. Firm action needs to be taken at the level of the Security Council to fulfil the commitment of the United Nations to restoring normalcy to the people of that country.

The right to live is the most basic right of all human beings. The world community has watched with horror what has been taking place in Bosnia and Herzegovina and would wish peace to prevail in that troubled land. Humanitarian assistance to ease the terrible burden borne by the victims of the conflict in Bosnia and Herzegovina, particularly women and children, is imperative. As winter takes its hold in the region, the suffering of the population will be greatly heightened. While we commend the United Nations High Commissioner for Refugees for the role she has played in providing relief, we must recognize that much more needs to be done to alleviate a worsening humanitarian situation.

The practice of "ethnic cleansing" and the wanton destruction of the cultural heritage of the peoples of the area, which have featured so prominently in many reports, must not be condoned. As a country with its own interesting and diverse mix of ethnic groups and social and cultural traditions, Guyana knows only too well some of the difficulties that can accompany this phenomenon. We are especially conscious of the need to preserve the rich heritage that is the result of the blending of different cultures and the coexistence of many ethnic groups. We therefore urge all the parties to the conflict to seek to preserve that precious heritage. The international community bears an important responsibility in ensuring the discontinuance of unacceptable practices and the preservation of the societies in question. Each State Member of this body must exercise its responsibility to achieve that end.

The statement by the representative of Bosnia and Herzegovina expressed his country's commitment to reaching a negotiated peace despite numerous failures to find a principled solution. We firmly support that position.

The draft resolution before us deserves our careful consideration, since its implications are many and important. In our quest for peace we must be careful about establishing precedents which in themselves may create problems. Above all, we must urge and maintain our main objective: to bring peace and an end to the suffering of the people of Bosnia and Herzegovina.

The PRESIDENT: The sponsors of the draft resolution before us have requested a 10-minute suspension of the meeting to allow for consultations, in the hope that this will facilitate action on the draft resolution. Since, obviously, those consultations have already started, I now propose to suspend the meeting for 10 minutes.

The meeting was suspended at 11.15 a.m. and resumed at 11.40 a.m.

The PRESIDENT: I now call upon the representative of Bosnia and Herzegovina, who will make an oral revision to the draft resolution before us (A/48/L.50).

Mr. SACIRBEY (Bosnia and Herzegovina): I should like to refer to paragraph 25 of draft resolution A/48/L.50. We would propose adding to the paragraph the words "subject to the provisions of Security Council resolution 827 (1993), and" after the opening phrase. Paragraph 25, as revised, would then read:

> "Encourages the Commission of Experts, subject to the provisions of Security Council resolution 827 (1993), and in cooperation with the Prosecutor of the International Tribunal on the former Yugoslavia, to facilitate the work of the International Tribunal, including the establishment of a record of violations such as ethnic cleansing and systematic rape".

The PRESIDENT: We shall now proceed to consider draft resolution A/48/L.50, as orally revised.

I shall now call on those representatives who wish to speak in explanation of vote before the voting. May I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. FEDOROV (Russian Federation) *(interpretation from Russian)*: The Russian Federation has consistently supported the international efforts to find a peaceful settlement to the crisis in the former Yugoslavia and the initiatives taken in that regard. It is our profound conviction that it is vitally important to ensure that all United Nations actions be designed to assist in so far as possible the peace efforts and negotiations in Geneva which have a chance of putting an end to the ongoing bloodshed and of bringing about a political settlement of this terrible conflict.

The Geneva process has been given additional impetus by the European initiative. This is in keeping with our belief that it is indispensable, first and foremost, to reach a peaceful settlement and a peace agreement for Bosnia and Herzegovina. Only a political solution can open the road to peace.

In those circumstances it is Russia's deep conviction that the world community, as represented in the United Nations, must send a clear signal to encourage the parties to reach a peaceful settlement and avoid any steps that might tend to exacerbate the conflict and further complicate the negotiating process.

On that basis we believe that the draft resolution now before the Assembly on the situation in Bosnia and Herzegovina must be balanced and that it must reflect the obvious fact that the key to any settlement lies in the hands of all three parties to the conflict.

This, indeed, was the aim of the amendments suggested by the Russian delegation to the sponsors of the draft resolution. We proposed, in particular, the deletion from the text of the draft resolution of the paragraph under which the Assembly would urge the Security Council to give all due consideration to lifting the embargo on arms shipments to the Republic of Bosnia and Herzegovina. We are convinced that such a step would only open the way to a further escalation of the bloodshed and jeopardize not only the entire negotiating process but also the mission of the United Nations Protection Force (UNPROFOR) in the former Yugoslavia and create a real threat of the conflict's spilling over beyond the Republic of Bosnia and Herzegovina to involve neighbouring countries in the region.

Accordingly, we proposed that we also delete the paragraph in which the Assembly would urge all States to cooperate with the Republic of Bosnia and Herzegovina in the exercise of its inherent right of individual and collective self-defence in accordance with Article 51 of Chapter VII of the Charter of the United Nations.

However, neither those nor a number of other amendments suggested by the Russian delegation were taken into account.

In view of the foregoing, the Russian delegation cannot vote in favour of the draft resolution in document A/48/L.50 and will therefore abstain in the voting.

If paragraphs 17 and 19 of the draft resolution were put to a separate vote, the Russian delegation would vote against them, because their provisions contradict Security Council resolutions and are not at all valid.

Mr. SREENIVASAN (India): My delegation has already expressed its views on agenda item 42, entitled "The situation in Bosnia and Herzegovina", including the draft resolution contained in document A/48/L.50.

India fully supports the efforts being made by the international community, and particularly the two Co-Chairmen of the International Conference on the Former Yugoslavia, to arrive at a fair, reasonable and irreversible political agreement acceptable to all three parties to end the tragic conflict in Bosnia and Herzegovina.

India fully supports the basic thrust of the draft resolution, especially the responsibility of the international community in upholding the territorial integrity and sovereignty of a Member State, the need to create an appropriate negotiating environment to reach an equitable and durable solution, and the need to facilitate the delivery of humanitarian assistance.

At the same time, we are concerned that the draft resolution has a certain lack of balance and that it has certain technical and legal implications which we cannot fully endorse. Although there may be political compulsions for the General Assembly to recommend a certain course of action in this particular case, the principles of the United Nations Charter and the scheme it envisages to deal with matters relating to international peace and security should be strictly followed.

In this context, we have repeatedly stressed the principle of United Nations command and control of actions authorized by the Security Council. Similarly, the call for resort to the provisions of Article 51 of the Charter should be seen in the light of the existing United Nations arms embargo and the steps taken by the Security Council in order to maintain international peace and security in the areas comprising the former Yugoslavia.

The question of suspension or expulsion of Members is equally complex. India abstained on resolution 47/1 of 22 September 1992. The contents of operative paragraph 19 of the draft resolution must be seen in the light of the provisions of Articles 12 and 18 of the Charter.

My delegation is constrained to abstain on the draft resolution on account of these difficulties. This does not, however, detract from our support to appropriate international action to end the suffering of the people of Bosnia and Herzegovina through a peaceful and negotiated settlement of the crisis.

Mr. MUTHAURA (Kenya): I wish to explain Kenya's vote on draft resolution A/48/L.50 and the request for separate votes on operative paragraphs 17 and 19.

For the second year running, the international community is faced with the serious and tragic situation in Bosnia and Herzegovina. When the Assembly considered this agenda item last year it adopted resolution 47/121 in the hope that the efforts of the international community, with the cooperation of all the people of Bosnia and Herzegovina, would have positive results. Unfortunately, however, the situation has remained very depressing. Acts of aggression and gross violations of human rights are still the order of the day in Bosnia and Herzegovina.

My Government strongly condemns the acquisition of territory by force of arms, acts of genocide, "ethnic cleansing", the torture of innocent civilians and the denial of humanitarian assistance. It is therefore paramount that humanitarian assistance continue to flow unhindered and be provided to all civilian populations, especially those under siege, without hindrance from any of the warring parties.

The situation in Bosnia and Herzegovina is an extremely delicate issue, which must be handled with the utmost care by all peace-loving people. No matter how many resolutions we may adopt, peace cannot be achieved in the Balkans without the political will of all the leaders and the people of the former Yugoslavia. For this reason, we believe that the following verities are still valid.

First, the strategy of territorial gains by force cannot lead to a solution. Instead, it will further compound the already complex situation in Bosnia and Herzegovina. Secondly, history has proved that the lifting of an arms embargo leads to the creation of alliances, with the danger of escalating the war. Hence, we do not believe that arming Bosnia and Herzegovina would necessarily enhance the negotiating position of the Bosnian people to win a peace settlement with the parties involved, in view of the internal complexity of Bosnia and Herzegovina. It is the responsibility of the Security Council and the entire membership of the United Nations to end the war in Bosnia and Herzegovina and to ensure that the Bosnian people live under secure and peaceful conditions.

Thirdly, the exclusion of the Federal Republic of Yugoslavia (Serbia and Montenegro) from participation in the proceedings of the Assembly has deprived us of the possibility of listening to the Federal Republic of Yugoslavia, which has the primary responsibility to explain to the Assembly why it cannot utilize all the possibilities open to it to facilitate the cessation of war in Bosnia and Herzegovina.

Kenya is convinced that the opportunities for a peaceful negotiated settlement have not been entirely lost. The positive role being played by the international community, through both the presence of the United Nations Protection Force in the area and the tireless efforts of international peace mediators, must be accompanied by the necessary political will, on account of the three ethnic groups in Bosnia and Herzegovina. This must happen now. It is for this reason that my delegation will once again abstain on the draft resolution regarding the situation in Bosnia and Herzegovina.

The PRESIDENT: The Assembly will now take a decision on draft resolution A/48/L.50, as orally revised by the representative of Bosnia and Herzegovina.

I wish to announce the following additional sponsors of the draft resolution: Mali and the Marshall Islands.

A separate vote has been requested on operative paragraphs 17 and 19. Is there any objection to this request?

Mr. SACIRBEY (Bosnia and Herzegovina): On behalf of the sponsors of the draft resolution, I wish to say that we object to the proposal for a separate vote on paragraphs 17 and 19. The draft resolution before us, A/48/L.50, is designed to be comprehensive in addressing the steps towards peace. Any attempts to divide it and take out essential elements will deprive the draft of its comprehensive approach, which envisages humanitarian, political and, if appropriate, further necessary measures to deliver peace.

The Republic of Bosnia and Herzegovina has fully and sincerely participated in all attempts to bring about a negotiated settlement and has given its full support to the latest European Union initiative. Unfortunately, the Serbs of Bosnia and Herzegovina and Serbia have failed to negotiate in good faith and have ignored the political and diplomatic efforts of the international community to deliver fruitful talks. We must envisage all further options for Bosnia and Herzegovina to exercise its full right of self-defence and to bring about a more appropriate environment for talks and the necessary political will to become part of the Serbian mind-set.

The PRESIDENT: As the Assembly has heard, the representative of Bosnia and Herzegovina has raised an objection to the request for division. In accordance with rule 89 of the rules of procedure of the General Assembly,

> "If objection is made to the request for division, the motion for division shall be voted upon. Permission to speak on the motion for division shall be given only to two speakers in favour and two speakers against."

Do any members wish to speak on the request for division?

I call on the representative of the Comoros.

Mr. MOUMIN (Comoros): My delegation, having heard the statements of our colleagues from Kenya and Bosnia and Herzegovina, is fully behind the statement made by the latter. We believe that in voting separately on the two paragraphs mentioned we would be destroying the draft resolution as it has been composed. We therefore believe that the draft resolution has to be voted on as a whole; there should not be separate votes on some of its paragraphs.

The PRESIDENT: I now call on the representative of Costa Rica.

Mr. TATTENBACH (Costa Rica) *(interpretation from Spanish)*: A few moments ago, when I spoke in the debate as a co-sponsor of the draft resolution, I pointed out that, taken separately, each one of its paragraphs would not have sufficient force to reverse the situation in Bosnia. I insisted that only the draft resolution as a whole could be a worthy solution to the matter at hand. At that time I did not think I would have to defend that idea in such short order. Now, in the light of the proposal for a separate vote on paragraphs 17 and 19, I wish to express the same idea in a more methodical fashion.

If the situation in Bosnia is to be dealt with, we cannot and must not deal only with its humanitarian aspects, which are so closely linked to the political and military aspects that it is impossible to separate them. In this regard I wish to say that when I mentioned the horrendous violations of human rights, I said that the worst thing about them was that those acts were not committed impulsively or in the heat of passion, but, rather, were the consequence of a deliberate, cold and calculated attitude with political ends. That shows the linkage between the three aspects. Hence, we cannot separate the humanitarian aspect from the political and military aspects, because in so doing we would fall into a grave error.

I wish to quote, in this regard, an outside opinion, expressed by Mr. José María Mendilucci, the former Special Envoy to Yugoslavia of the Office of the United Nations High Commissioner for Refugees (UNHCR). In a major presentation on Yugoslavia, Mr. Mendilucci said,

> "The fact that the international community has based its strategy mainly on humanitarian-assistance aspects instead of taking a political decision forced the Office of the United Nations High Commissioner for Refugees (UNHCR) to try to prevent the worst, well-known and predictable humanitarian consequences. That is to say, it had an incomplete strategy for preventing this war."

He added:

> "We had the impression that ..." -

The PRESIDENT: I apologize for interrupting the representative of Costa Rica, but we are crossing the line between speaking on the request for division and making a statement. May I ask him kindly to wind up his statement.

Mr. TATTENBACH (Costa Rica) *(interpretation from Spanish)*: Yes, Mr. President, I shall conclude my statement at this point.

The PRESIDENT: We have now heard the two speakers, the representatives of Costa Rica and the Comoros, against the request for division. Are there any speakers in favour of the request for division?

As there appear to be none, I shall now, in accordance with rule 89, put the motion for division to the vote. That is to say - and I wish the Assembly to be very clear on this - we shall vote on Kenya's request for separate votes. A recorded vote has been requested.

A recorded vote was taken.

In favour: Belarus, Kenya, Malawi, Russian Federation, Tajikistan, Togo, Zaire

Against: Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Barbados, Belgium, Belize, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, Colombia, Comoros, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Egypt, El Salvador, Estonia, Fiji, Finland, France, Gambia, Georgia, Germany, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Japan, Jordan, Kuwait, Kyrgyzstan, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Micronesia (Federated States of), Monaco, Morocco, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of

Moldova, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Spain, Sudan, Suriname, Sweden, Syrian Arab Republic, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Yemen, Zambia

Abstaining: Angola, Armenia, Brazil, China, Côte d'Ivoire, Ecuador, Gabon, Ghana, India, Iraq, Kazakhstan, Lesotho, Mexico, Mongolia, Myanmar, Nepal, Sri Lanka, Swaziland, Thailand, Ukraine, United Republic of Tanzania, Uruguay, Venezuela, Zimbabwe

The motion for division was rejected by 128 votes to 7, with 24 abstentions.

The PRESIDENT: I now put to the vote draft resolution A/48/L.50, as orally revised by the representative of Bosnia and Herzegovina.

A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Antigua and Barbuda, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Burkina Faso, Cameroon, Cape Verde, Central African Republic, Chad, Chile, Colombia, Comoros, Costa Rica, Croatia, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Fiji, Gambia, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Lithuania, Madagascar, Malaysia, Maldives, Mali, Marshall Islands, Mauritania, Mauritius, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Namibia, Nepal, Nicaragua, Niger, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Republic of Moldova, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovenia, Solomon Islands, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, United States of America, Uruguay, Yemen, Zambia

Against: None

Abstaining: Andorra, Argentina, Armenia, Belarus, Belgium, Benin, Brazil, Bulgaria, Burundi, Canada, China, Côte d'Ivoire, Czech Republic, Denmark, Ethiopia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Iceland, India, Ireland, Israel, Italy, Japan, Kenya, Liechtenstein, Luxembourg, Malawi, Malta, Mexico, Monaco, Myanmar, Netherlands, New Zealand, Nigeria, Norway, Poland, Portugal, Republic of Korea, Romania, Russian Federation, San Marino, Slovakia, Spain, Swaziland, Sweden, Togo, Ukraine, United Kingdom of Great Britain and Northern Ireland, Venezuela, Viet Nam, Zaire, Zimbabwe

Draft resolution A/48/L.50, as orally revised, was adopted by 109 votes to none, with 57 abstentions (resolution 48/88).

The PRESIDENT: I shall now call on those representatives wishing to speak in explanation of vote. May I remind members that, in accordance with General Assembly decision 34/401, explanations are limited to 10 minutes and should be made by delegations from their seats.

Mr. KHANDOGY (Ukraine): The delegation of Ukraine would like to explain its abstention in the voting on the draft resolution (A/48/L.50) submitted under the agenda item entitled "The situation in Bosnia and Herzegovina".

We appreciate the efforts of the sponsors of the draft resolution to find language acceptable to all delegations. Ukraine agrees with the resolution's basic thrust and with many of its provisions - especially those dealing with the preservation of the sovereignty and territorial integrity of Bosnia and Herzegovina.

Of particular importance to us is operative paragraph 16, under which the Assembly expresses deep alarm at the continuing systematic abuses committed against minorities - and there are Ukrainians among these minorities - who are suffering enormously as a result of the heightened hatred in the former Yugoslavia. Despite that, however, we cannot support certain formulations in the resolution - particularly those concerning the exemption of Bosnia and Herzegovina from the arms embargo as imposed on the former Yugoslavia by Security Council resolution 713 (1991).

Ukraine's position on this matter was stated in the Security Council at its meeting on 29 June 1993. We believe that lifting the arms embargo could only lead to further escalation of the conflict, resulting in even more unbearable suffering for the civilian population and in a dead end so far as solution of the problem is concerned.

More arms in the area would inevitably create additional threats to the security of the United Nations Protection Force (UNPROFOR), which, notwithstanding considerable losses, is doing its utmost to protect the civilian population and to ensure the delivery of humanitarian aid to the needy.

As a contributor of troops to Sector Sarajevo - one of the hottest spots in Bosnia and Herzegovina - Ukraine is deeply concerned that the eventual lifting of the arms embargo would place the Ukrainian contingent, as well as the contingents of other countries, which have already suffered heavy losses, in an extremely dangerous situation.

While expressing its concern about the possible intensification of hostilities, Ukraine stands for strict compliance with all Security Council resolutions on Bosnia and Herzegovina. In our view, additional arms cannot bring peace to Bosnia and Herzegovina. We strongly believe that placing the heavy armaments of Bosnian Serbs under effective United Nations control would help to lower the level of armed confrontation and, thereby, make it unnecessary to consider lifting the arms embargo.

We should like to reiterate that, for all practical reasons, Ukraine considers promotion of the negotiation process to be the only possible means of resolving the conflict peacefully. A settlement should be based on the following principles: immediate cessation of hostilities; withdrawal from the territories occupied by force or through "ethnic cleansing"; elimination of the consequences of the condemnable policy of "ethnic cleansing"; return of all Bosnian refugees to their homes; and restoration of the territorial integrity and unity of the Republic of Bosnia and Herzegovina.

Mr. ALBIN (Mexico) *(interpretation from Spanish)*: A year ago, we met here to consider a draft resolution on this same subject. At that time - as now - the international community expressed its deep concern at the situation in Bosnia and Herzegovina. I regret to say that, since then, there has been no improvement in the situation of that State Member of the United Nations.

For the Government of Mexico, the continuing violations of human rights, the policies of "ethnic cleansing" and the acts of aggression aimed at the acquisition of territory by the use of force are a matter of great concern. Mexico rejects any action designed to limit or obliterate the political independence, territorial integrity, self-determination and, finally, the sovereignty of Bosnia and Herzegovina.

Mexico joins in the international community's call for an end to violence, aggression and oppression and for viewing the situation in Bosnia and Herzegovina as similar to those experienced by the human race in the darkest of times. We join also in the emphatic appeal to all the parties that are responsible, directly or indirectly, for aggression to cease immediately their siege and their attacks on the people of Bosnia and Herzegovina and to seek, in good faith, a solution to the conflict. We believe that there is an urgent need to resume the Geneva International Conference.

It is imperative that resolutions adopted by the Security Council with a view to putting an end to this tragic situation be implemented. Failure to comply with Security Council resolutions undermines the effectiveness of the means available to the international community for finding solutions to the serious problems confronting the community of nations.

The resolution that the General Assembly has just adopted contains numerous elements which we support and with which we agree fully. However, my delegation abstained in the voting because, from our point of view, the text also contains certain provisions that depart from the letter and the spirit of the United Nations Charter. Mexico's abstention is, in effect, a vote in favour of a solution in keeping with the principles of the United Nations Charter and therefore permanent and lasting.

Mr. BUTLER (Australia): The Australian Government remains deeply concerned at the appalling situation in Bosnia and Herzegovina. We condemn the continued attacks on Sarajevo and the fighting in other parts of Bosnia and Herzegovina, which are still causing death and injury and disrupting the delivery of humanitarian supplies. We deplore the so-called ethnic cleansing and the use of detention/concentration camps by all those engaged in those abhorrent practices. Such practices are a grave violation of the principles of international law and human rights.

The Australian Government continues to call on all parties to the fighting to abide by the various cease-fire arrangements and to end the bloodshed.

We therefore strongly support the resolution's aims of affirming the rights of Bosnia and Herzegovina under the Charter of the United Nations, bringing the violence there to an end, ending the grave violations of human rights which have been and are taking place, and restoring peace and stability to that country and to the region.

It is for these reasons - these central and compelling reasons - that we voted in favour of the resolution, even though we continue to have reservations that the lifting of the arms embargo on Bosnia and Herzegovina would in itself facilitate a peaceful resolution of the fighting. Above all, the Australian Government wants to see a peaceful solution to this tragedy and an end to the fighting. We believe that our search for those outcomes requires the maintenance of international pressure upon the parties concerned. Furthermore, we believe that every effort should continue to be made to prevent the fighting from spreading to other areas and involving other countries.

Finally, we strongly support the actions taken to date by the Security Council to limit and end the fighting in Bosnia and Herzegovina, and we urge the Council to continue its efforts.

Mr. KEATING (New Zealand): New Zealand has sought two outcomes to the situation in Bosnia and Herzegovina: first, a just settlement of the differences which underlie the conflict by negotiation rather than the use of military force; and, secondly, humanitarian assistance for the alleviation of suffering.

The resolution on which the Assembly has just taken action addresses itself to both these questions. The resolution calls upon all concerned to facilitate the unhindered flow of humanitarian assistance. This is of critical importance. It reaffirms the rights of all refugees and displaced persons to return to their homes, and it rejects the practice of "ethnic cleansing". It urges that practical steps, such as the reopening of Tuzla airport, be taken.

New Zealand strongly supports all these provisions. We also support the efforts that have been made by the Secretary-General, through his Special Representative, by the United Nations Protection Force and by the European Union to secure effective commitments from the parties on humanitarian assistance. But the record of compliance is not encouraging, and we call on all parties to make good the commitment into which they have entered. There can be no justification whatsoever for blocking humanitarian supplies to the civilian population.

The resolution also deals with the principles on which a settlement must be based, and we support those principles. New Zealand has always strongly believed that a durable peace can be reached only as a result of a negotiated settlement. That is why we supported the Geneva negotiations and, before that, the Vance-Owen peace plan, and it is why we have supported efforts in the Security Council to ensure that the Bosnian Government is not put in a position in which its ability to negotiate freely is in any way limited. With respect to the current phase of negotiations, we are pleased that, under European Union auspices, the parties have agreed to continue negotiating.

We abstained in the voting on the resolution because, in our view, there are some elements that will not facilitate a negotiated settlement. In particular, we have difficulty with the request to the Security Council to give urgent consideration, as far as the Republic of Bosnia and Herzegovina is concerned, to the lifting of the arms embargo imposed on the former Yugoslavia by Security Council resolution 713 (1991).

We acknowledge the important efforts made by the sponsors to accommodate our concerns, but we remain of the view that increasing the flow of arms to the region will do nothing to promote a negotiated settlement. More weapons will not help the parties to reach a peaceful settlement. In fact, if there is a lesson to be learned from United Nations experiences in other regions, it is that a reduction in the number of weapons through disarming and demilitarization provides the only necessary basis for long-term security and stability. That security and stability is what the territory of the former Yugoslavia desperately needs.

Mr. CARDENAS (Argentina) *(interpretation from Spanish):* The Argentine Republic reiterates its full recognition of and respect for the political independence, territorial integrity and sovereign rights of Bosnia and Herzegovina. Moreover, it insists on the need to put an immediate end to the serious and systematic violations of the human rights of the people of Bosnia and Herzegovina and unequivocally and most strongly condemns the perverted practice of "ethnic cleansing", which is a disgrace to humanity and will be a true stigma on those who promote, practise or tolerate it. It also condemns the aggression of which Bosnia and Herzegovina is a victim, because it endangers international peace and security.

My delegation takes this opportunity to appeal once again for an end to the continued genocidal practices in the territory of Bosnia and Herzegovina. We call for an immediate end to the siege of Sarajevo and other cities and safe areas. We appeal to the all the parties to observe a cease-fire and halt the hostilities, which have already caused untold damage.

We stress the need for free access to and free distribution of humanitarian assistance, which the United Nations has striven to provide to a civilian population that is the innocent victim of the hatred, resentment and folly of those who have fed the flames of destruction. In this respect, we condemn all those who, on any pretext, interrupt, delay or divert the flow of assistance. They deserve our vigorous condemnation for their blatant scorn for the value of the human person.

We recognize the courage and sacrifice of all those who, whether in military uniforms or civilian clothes risk their lives daily in foreign lands for international peace and security, doing so with a nobility and generosity which can never be forgotten or ignored.

We urge respect for the civilian populations of Bosnia and Herzegovina, who should be allowed unimpeded access to water, electricity and fuel and should have their basic needs attended to.

We demand the elimination and dismantling of detention or concentration camps or centres throughout the territory of the former Yugoslavia and the renunciation of all forms of torture.

The Argentine Republic supports the speedy passing of judgement with regard to all crimes against the norms of humanitarian law committed in the territory of Bosnia and Herzegovina. It hopes for the vigorous condemnation of all those who are individually responsible for these crimes.

We urge the resumption of negotiations to resolve all aspects of the conflict by peaceful means and to find a just and lasting solution. We thank all those who are involved in this effort.

Despite all that I have said, because of the wording of some operative paragraphs my delegation decided to abstain in the voting on the resolution.

Mr. NYAKYI (United Republic of Tanzania): Although my delegation voted in favour of the resolution, we are deeply troubled by certain aspects of it. That is particularly the case with regard to operative paragraph 19, which in effect calls for the expulsion of Yugoslavia from the United Nations.

The improvement over the earlier text does not go far enough. Despite the new language, the result is still the expulsion of Yugoslavia from the United Nations, an objective to which my delegation cannot subscribe. We made that clear in the General Assembly on 22 September 1992, in the vote we cast on a similar draft resolution and in the explanation we gave before the voting. The position of the Tanzanian delegation remains the same: we see no justification for the expulsion of the Federal Republic of Yugoslavia from the United Nations. What is happening in Bosnia and Herzegovina is a civil war involving its three constituent communities. Each community is receiving external support; the conflict could not have gone on this long without such support. The draft resolution failed to take that reality into account.

The Tanzanian delegation is also troubled by what we see as the effect of the action proposed in paragraph 18. While its intent is clear and has our general sympathy, the effect, we fear, could be an escalation of the conflict, resulting in more suffering for all communities in Bosnia and Herzegovina. There have been far too many deaths and too much suffering and anguish. Our objective should be to stop the fighting and end the killing, not to aggravate the situation by creating conditions for an escalation of the conflict.

Miss THOMAS (Jamaica): The delegation of Jamaica voted in favour of draft resolution A/48/L.50 as an expression of our support for the suffering people of Bosnia and Herzegovina and our grave concern about the deepening crisis in that republic. However, we have serious reservations about paragraph 17, as it is our belief that the lifting of the arms embargo will not contribute to the achievement of peace, and about paragraph 19, concerning the ending of the de facto working status of the Federal Republic of Yugoslavia (Serbia and Montenegro), as it is our belief that the Federal Republic of Yugoslavia should remain within the United Nations, where, under the Charter, it can be held directly accountable for its actions. It will be recalled that Jamaica abstained in the vote on resolution 47/1 at the time of its adoption.

Mr. AYALA LASSO (Ecuador) *(interpretation from Spanish)*: On 24 September 1991, when the Security Council adopted its first resolution on the crisis in Yugoslavia, Ecuador, then a member of the Council, expressed its support for efforts to bring about a comprehensive, negotiated, peaceful settlement of the conflict based on the principles of the United Nations Charter and on international law. We condemned the use or threat of the use of force as a means of settling disputes. We referred to the need to respect the independence, sovereignty and territorial integrity of States, not to recognize any change of borders imposed by force, and to respect human rights, including due recognition of the rights of minorities. Ecuador stated then, and repeats today, that any solution that does not respect those principles can only engender new conflicts in the future. Our vigorous condemnation of human rights violations, and in particular the crime of "ethnic cleansing", remains valid today.

Since that time, regrettably, the situation in Bosnia and Herzegovina has continuously deteriorated. Humanitarian assistance has declined to intolerable levels. International action has proved both complicated and inadequate.

Ecuador considers that the resolution just adopted has the full moral and political authority needed to make the parties stop and think, and cooperate with the United Nations in the search for a solution to the conflict, a solution that meets the legitimate rights and interests of Bosnia and Herzegovina. We need compliance with Security Council resolutions; even more, we need the implementation of the purposes and principles of the United Nations Charter. Only then will it be possible to establish peace, stability and justice in that long-suffering part of the world. There must be respect both for the rights of States and, above all, for the rights of every member of the population of Bosnia and Herzegovina, whose suffering and martyrdom are an affront to mankind.

Ecuador considers that the resolution just adopted constitutes a vigorous appeal along those lines, and for that reason we voted in favour.

Mr. SARDENBERG (Brazil): The delegation of Brazil fully shares the widespread sense of frustration at the inability to put an end to the murderous conflict in Bosnia and Herzegovina, a State Member of the United Nations, and we respect the initiative of the sponsors of draft resolution A/48/L.50. Many of its elements have our unreserved support. We agree that no acquisition of territory through the use of force can be condoned by the international community, and we share the utmost revulsion at the very notion of the heinous crime that has become known as "ethnic cleansing".

A humanitarian tragedy of unbearable proportions is being inflicted upon the people of Bosnia and Herzegovina, despite the untiring efforts of the United Nations Protection Force (UNPROFOR), United Nations agencies and private organizations to provide emergency relief assistance to those in need. The unhindered flow of such humanitarian assistance must be ensured.

My delegation welcomes the diplomatic efforts currently under way on the initiative of the European Union, as it firmly believes that only a solution arrived at through peaceful means acceptable to the three communities can bring lasting peace to Bosnia and Herzegovina, and that only through direct negotiations in good faith between all the parties to the conflict can such a solution be achieved.

As we see it, some elements of the resolution just adopted did not adequately reflect that perception. My delegation was therefore not in a position to support the draft resolution.

The PRESIDENT: The Assembly has concluded this stage of its consideration of agenda item 42.

AGENDA ITEMS 107, 108 (*continued*), 109 (*continued*), 110, 111, 112 (*continued*), 113 to 115, 172, 12

ELIMINATION OF RACISM AND RACIAL DISCRIMINATION: REPORT OF THE THIRD COMMITTEE (Parts I and II) (A/48/625 and Add.1)

RIGHT OF PEOPLES TO SELF-DETERMINATION

(a) RIGHT OF PEOPLES TO SELF-DETERMINATION: REPORT OF THE THIRD COMMITTEE (PART I) (A/48/626)

(b) EFFECTIVE REALIZATION OF THE RIGHT OF SELF-DETERMINATION THROUGH AUTONOMY: REPORT OF THE THIRD COMMITTEE (PART II) (A/48/626/Add.1)

SOCIAL DEVELOPMENT, INCLUDING QUESTIONS RELATING TO THE WORLD SOCIAL SITUATION AND TO YOUTH, AGEING, DISABLED PERSONS AND THE FAMILY: REPORT OF THE THIRD COMMITTEE (A/48/627)

CRIME PREVENTION AND CRIMINAL JUSTICE: REPORT OF THE THIRD COMMITTEE (A/48/628)

ADVANCEMENT OF WOMEN: REPORT OF THE THIRD COMMITTEE (A/48/629)

INTERNATIONAL DRUG CONTROL: REPORT OF THE THIRD COMMITTEE (A/48/630)

REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS: REPORT OF THE THIRD COMMITTEE (A/48/631)

HUMAN RIGHTS QUESTIONS: REPORT OF THE THIRD COMMITTEE (PART I) (A/48/632)

(a) IMPLEMENTATION OF HUMAN RIGHTS INSTRUMENTS: REPORT OF THE THIRD COMMITTEE (PART II) (A/48/632/Add.1)

(b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS:

(i) REPORT OF THE THIRD COMMITTEE (PARTS III AND V) (A/48/632/Add.2 and Add.4)

(ii) REPORTS OF THE FIFTH COMMITTEE (A/48/795, A/48/796)

(c) HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES:

(i) REPORT OF THE THIRD COMMITTEE (PART IV) (A/48/632/Add.3)

(ii) REPORT OF THE FIFTH COMMITTEE (A/48/797)

SITUATION OF HUMAN RIGHTS IN ESTONIA AND LATVIA: REPORT OF THE THIRD COMMITTEE (A/48/633)

NECESSITY OF ADOPTING EFFECTIVE MEASURES FOR THE PROMOTION AND PROTECTION OF THE RIGHTS OF CHILDREN THROUGHOUT THE WORLD WHO ARE VICTIMS OF ESPECIALLY DIFFICULT CIRCUMSTANCES, INCLUDING ARMED CONFLICTS

(a) REPORT OF THE THIRD COMMITTEE (A/48/634)

(b) REPORT OF THE FIFTH COMMITTEE (A/48/798)

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL: REPORT OF THE THIRD COMMITTEE (A/48/624)

The PRESIDENT: I call on the Rapporteur of the Third Committee to introduce the reports of the Third Committee in a single intervention.

Mrs. RECINOS de MALDONADO (Guatemala), Rapporteur of the Third Committee *(interpretation from Spanish):* I have the honour to introduce the following reports of the Third Committee on the agenda items allocated to it by the General Assembly.

On agenda item 107, "Elimination of racism and racial discrimination", the Third Committee, in paragraph 12 of document A/48/625, recommends the adoption of two draft resolutions. In paragraph 8 of document A/48/625/Add.1, it recommends the adoption of one draft resolution and in paragraph 9, the adoption of a draft decision.

Agenda item 108 is entitled "Right of peoples to self-determination". On sub-item (a), "Right of peoples to self-determination", the Third Committee, in paragraph 18 of document A/48/626, recommends the adoption of three draft resolutions. On sub-item (b), "Effective realization of the right of self-determination through autonomy", the Committee, in paragraph 11 of document A/48/626/Add.1, recommends the adoption of one draft decision.

On agenda item 109, "Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family", the Third Committee, in paragraph 28 of document A/48/627, recommends the adoption of six draft resolutions; in paragraph 29, the Committee recommends the adoption of one draft decision.

On agenda item 110, "Crime prevention and criminal justice", the Third Committee, in paragraph 18 of document A/48/628, recommends the adoption of three draft resolutions.

On agenda item 111, "Advancement of women", the Third Committee, in paragraph 23 of document A/48/629, recommends the adoption of eight draft resolutions.

On agenda item 112, "International drug control", the Third Committee, in paragraph 7 of document A/48/630, recommends the adoption of one draft resolution.

On agenda item 113, "Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions", the Third Committee, in paragraph 31 of document A/48/631, recommends the adoption of six draft resolutions.

I turn now to agenda item 114, "Human rights questions". Under sub-item (a), "Implementation of human rights instruments", the Third Committee recommends the adoption of the two draft resolutions contained in paragraph 11 of document A/48/632/Add.1. I should like to inform the Assembly that Ireland has asked to be included in the list of sponsors of draft resolution I. In addition, the text that appears in document A/48/632/Add.3 as draft resolution VII should be moved to document A/48/632/Add.1, since it properly falls under sub-item (a) of agenda item 114 rather than sub-item (c).

Under sub-item (b), "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms", the Third Committee, in paragraph 88 of document A/48/632/Add.2, recommends the adoption of 21 draft resolutions. In document A/48/632/Add.4, the Third

Committee, in paragraph 14, recommends the adoption of one draft resolution and, in paragraph 15, of one draft decision.

Under sub-item (c), "Human rights situations and reports of special rapporteurs and representatives", the Third Committee, in paragraph 67 of document A/48/632/Add.3, recommends the adoption of 13 draft resolutions.

On agenda item 115, "Situation of human rights in Estonia and Latvia", the Third Committee, in paragraph 14 of document A/48/633, recommends the adoption of one draft resolution.

On agenda item 172, "Necessity of adopting effective measures for the promotion and protection of the rights of children throughout the world who are victims of especially difficult circumstances, including armed conflicts", the Third Committee, in paragraph 15 of document A/48/634, recommends the adoption of two draft resolutions.

On agenda item 12, "Report of the Economic and Social Council", the Third Committee, in paragraph 11 of document A/48/624, recommends the adoption of four draft decisions.

Draft decision I, "Organization of work of the Third Committee and draft biennial programme of work of the Committee for 1994-1995", should contain the following additions, which led to the Third Committee's adoption of the draft resolution that in the Committee appeared in document A/C.3/48/L.85 and was entitled "High Commissioner for the promotion and protection of all human rights".

First, in section E of annex I, under sub-item (b) of item 114, the subject "High Commissioner for the promotion and protection of all human rights" should be listed for annual consideration.

Secondly, in annex II, under sub-item (b) of item 114, two documents should be included: the report of the High Commissioner, which is submitted to the General Assembly through the Commission on Human Rights and the Economic and Social Council; and the report of the Secretary-General on the implementation of the draft resolution contained in document A/C.3/48/L.85.

Before concluding, I take this opportunity to express thanks to all the members of the Third Committee for their contribution to the Committee's work. I wish also to pay a tribute to the Chairman, Ambassador Eduard Kukan of Slovakia, and the two Vice-Chairmen, Mr. Berend van der Heijden of the Netherlands and Mrs. Noria Abdullah Ali Al-Hamami of Yemen, for the efforts they made to ensure the successful completion of the Committee's work on schedule.

My thanks go also to Ambassador Gilberto Saboya of Brazil and Ambassador Chew Tai Soo of Singapore, and very particularly to Ambassador José Ayala Lasso of Ecuador, for his valuable and effective efforts as Chairman of the Working Group, which led to the adoption of the draft resolution on the High Commissioner for the protection and promotion of all human rights. In addition, I express my thanks to the members of the Secretariat for their valuable cooperation and punctual performance of their duties.

The PRESIDENT: I should like to inform members that the representative of Bolivia has expressed a desire to make a statement in connection with the report of the Third Committee on sub-item (b) of agenda item 114 - "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms". That report is contained in document A/48/632/Add.2.

Bearing in mind rule 66 of the rules of procedure, may I take it that the Assembly agrees to discuss that report?

It was so decided.

The PRESIDENT: If there is no other proposal under rule 66 of the rules of procedure, I shall take it that the Assembly decides not to discuss the other reports of the Third Committee that are before the Assembly today.

It was so decided.

The PRESIDENT: Other statements will therefore be limited to explanations of vote.

The positions of delegations regarding the recommendations of the Third Committee have been made clear in the Committee and are reflected in the relevant official records.

May I remind members that under paragraph 7 of decision 34/401 the General Assembly agreed that

> "When the same draft resolution is considered in a Main Committee and in plenary meeting, a delegation should, as far as possible, explain its vote only once, that is, either in the Committee or in plenary meeting, unless that delegation's vote in

plenary meeting is different from its vote in the Committee."

May I remind delegations that, also in accordance with General Assembly decision 34/401, explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Before we begin to take action on the recommendations contained in the reports of the Third Committee, I should like to advise representatives that we are going to proceed to take decisions in the same manner as was done in the Third Committee, unless notified otherwise in advance. This means that where recorded or separate votes were taken, we shall do the same in the Assembly. I would also hope that we may proceed to adopt without a vote those recommendations that were adopted without a vote in the Third Committee.

The Assembly will now consider parts I and II of the report (A/48/625 and Add.1) of the Third Committee on agenda item 107, entitled "Elimination of racism and racial discrimination".

We shall first consider part I of the report of the Third Committee, contained in document A/48/625.

The Assembly will now take a decision on the two draft resolutions recommended by the Third Committee in paragraph 12 of part I of its report.

Draft resolution I is entitled "Status of the International Convention on the Suppression and Punishment of the Crime of Apartheid". A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Armenia, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovenia, Solomon Islands, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zaire, Zambia, Zimbabwe

Against: United States of America

Abstaining: Andorra, Argentina, Australia, Austria, Azerbaijan, Belgium, Brazil, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, San Marino, Slovakia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, Turkmenistan, United Kingdom of Great Britain and Northern Ireland

Draft resolution I was adopted by 119 votes to 1, with 48 abstentions (resolution 48/89).*

The PRESIDENT: Draft resolution II is entitled "Report of the Committee on the Elimination of Racial Discrimination". The Third Committee adopted this draft resolution. May I take it that the Assembly wishes to do the same?

Draft resolution II was adopted (resolution 48/90).

The PRESIDENT: We shall now consider part II of the report of the Third Committee, contained in document A/48/625/Add.1.

The Assembly will now take a decision on the draft resolution recommended by the Third Committee in paragraph 8 of part II of its report and the draft decision recommended by the Committee in paragraph 9.

We turn first to the draft resolution, entitled "Third Decade to Combat Racism and Racial Discrimination", which was adopted by the Third Committee without a vote. May I consider that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 48/91).

The PRESIDENT: We turn now to the draft decision, entitled "Draft model national legislation for the guidance of Governments in the enactment of further legislation against racial discrimination, revised by the Secretariat in accordance with the comments made by the Committee on the Elimination of Racial Discrimination at its fortieth and forty-first sessions". It is recommended for adoption by the Third Committee. May I take it that the Assembly wishes to adopt the draft decision?

The draft decision was adopted.

The PRESIDENT: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 107?

It was so decided.

The meeting rose at 1 p.m.

ANNEX

Changes in recorded and/or roll-call votes

Resolution 48/89

Subsequent to the voting, the delegation of Korea advised the Secretariat that it had intended to vote in favour; the delegation of France had intended to abstain.

United Nations
GENERAL ASSEMBLY
FORTY-EIGHTH SESSION

Official Records

85th
PLENARY MEETING

Monday, 20 December 1993
at 3 p.m.

NEW YORK

President: Mr. INSANALLY
(Guyana)

The meeting was called to order at 3.30 p.m.

AGENDA ITEMS 108 *(continued)*, 109 *(continued)*, 110 to 115 *(continued)*, 172 *(continued)*, 12 *(continued)*

RIGHT OF PEOPLES TO SELF-DETERMINATION

(a) RIGHT OF PEOPLES TO SELF-DETERMINATION: REPORT OF THE THIRD COMMITTEE (PART I) (A/48/626)

(b) EFFECTIVE REALIZATION OF THE RIGHT TO SELF-DETERMINATION THROUGH AUTONOMY: REPORT OF THE THIRD COMMITTEE (PART II) (A/48/626/Add.1)

SOCIAL DEVELOPMENT, INCLUDING QUESTIONS RELATING TO THE WORLD SOCIAL SITUATION AND TO YOUTH, AGEING, DISABLED PERSONS AND THE FAMILY: REPORT OF THE THIRD COMMITTEE (A/48/627)

CRIME PREVENTION AND CRIMINAL JUSTICE: REPORT OF THE THIRD COMMITTEE (A/48/628)

ADVANCEMENT OF WOMEN: REPORT OF THE THIRD COMMITTEE (A/48/629)

INTERNATIONAL DRUG CONTROL: REPORT OF THE THIRD COMMITTEE (A/48/630)

REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS: REPORT OF THE THIRD COMMITTEE (A/48/631)

HUMAN RIGHTS QUESTIONS: REPORT OF THE THIRD COMMITTEE (PART I) (A/48/632)

(a) IMPLEMENTATION OF HUMAN RIGHTS INSTRUMENTS: REPORT OF THE THIRD COMMITTEE (PART II) (A/48/632/Add.1)

(b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS:

- **(i) REPORT OF THE THIRD COMMITTEE (PARTS III AND V) (A/48/632/Add.2 AND Add.4)**
- **(ii) REPORTS OF THE FIFTH COMMITTEE (A/48/795, A/48/796)**

(c) HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES:

- **(i) REPORT OF THE THIRD COMMITTEE (PART IV) (A/48/632/Add.3)**

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When the result of a recorded and/or roll-call vote is followed by an asterisk, see the annex to the record.

Distr. GENERAL

A/48/PV.85
24 January 1994

ENGLISH

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(ii) REPORT OF THE FIFTH COMMITTEE (A/48/797)

SITUATION OF HUMAN RIGHTS IN ESTONIA AND LATVIA: REPORT OF THE THIRD COMMITTEE (A/48/633)

NECESSITY OF ADOPTING EFFECTIVE MEASURES FOR THE PROMOTION AND PROTECTION OF THE RIGHTS OF CHILDREN THROUGHOUT THE WORLD WHO ARE VICTIMS OF ESPECIALLY DIFFICULT CIRCUMSTANCES, INCLUDING ARMED CONFLICTS

(a) REPORT OF THE THIRD COMMITTEE (A/48/634)

(b) REPORT OF THE FIFTH COMMITTEE (A/48/798)

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL: REPORT OF THE THIRD COMMITTEE (A/48/624)

The PRESIDENT: The Assembly will consider first part I of the report (A/48/626) of the Third Committee on sub-item (a) of agenda item 108, entitled "Right of peoples to self-determination".

The Assembly will now take a decision on the three draft resolutions recommended by the Third Committee in paragraph 18 of part I of its report.

Draft resolution I is entitled "Use of mercenaries as a means to violate human rights and to impede the exercise of the right of peoples to self-determination".

The voting process has now begun. A recorded vote has been requested.

A recorded vote was taken.

In favour: Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Guyana, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Republic of Moldova, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zaire, Zambia, Zimbabwe

Against: Belgium, Bulgaria, Canada, Czech Republic, France, Germany, Italy, Luxembourg, Monaco, Netherlands, Portugal, Romania, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Albania, Argentina, Armenia, Australia, Austria, Azerbaijan, Belarus, Croatia, Denmark, Estonia, Finland, Georgia, Greece, Hungary, Iceland, Ireland, Israel, Japan, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Malta, Marshall Islands, Micronesia (Federated States of), New Zealand, Norway, Poland, Republic of Korea, Russian Federation, San Marino, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey

Draft resolution I was adopted by 108 votes to 14, with 39 abstentions (resolution 48/92).*

The PRESIDENT: Draft resolution II is entitled "Universal realization of the right of peoples to self-determination".

The Third Committee adopted draft resolution II without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution II was adopted (resolution 48/93).

The PRESIDENT: Draft resolution III is entitled "Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights".

The voting process has now begun. A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Cape

Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Dominica, Ecuador, Egypt, Ethiopia, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zaire, Zambia, Zimbabwe

Against: Argentina, Belgium, Bulgaria, Canada, Czech Republic, Denmark, Finland, France, Georgia, Germany, Hungary, Iceland, Israel, Italy, Japan, Luxembourg, Monaco, Netherlands, Norway, Poland, Romania, Russian Federation, Slovakia, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Albania, Armenia, Australia, Austria, Azerbaijan, Belarus, Costa Rica, Croatia, Dominican Republic, Estonia, Fiji, Greece, Honduras, Ireland, Jamaica, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Malta, Marshall Islands, Micronesia (Federated States of), New Zealand, Nicaragua, Panama, Paraguay, Portugal, Republic of Korea, Republic of Moldova, San Marino, Slovenia, Spain, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, Uruguay

Draft resolution III was adopted by 101 votes to 26, with 37 abstentions (resolution 48/94).*

The PRESIDENT: I call on the representative of Mongolia for an explanation of vote.

Ms. ENKHTSETSEG (Mongolia): My delegation cast a positive vote in favour of draft resolution III, entitled "Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights". We did so because support for the right of peoples to self-determination has always been my Government's consistent policy and position of principle.

While my delegation fully supports the general thrust of the resolution, we would have preferred more balanced language in some paragraphs, in particular, paragraph 2, to make them reflect more clearly the rapidly changing international situation.

The PRESIDENT: May I take it that it is the wish of the Assembly to conclude its consideration of sub-item (a) of agenda item 108?

It was so decided.

The PRESIDENT: The Assembly will now consider part II of the report (A/48/626/Add.1) of the Third Committee on sub-item (b) of agenda item 108, entitled "Effective realization of the right of self-determination through autonomy".

Members will recall that, in accordance with the decision taken by the General Assembly at its 3rd plenary meeting, on 24 September, sub-item (b) of agenda item 108 was introduced at the Assembly's 36th plenary meeting on 25 October.

The Assembly will now take a decision on the draft decision recommended by the Third Committee in paragraph 11 of part III of its report.

The draft decision was adopted by the Third Committee without a vote. May I consider that the Assembly wishes to do the same?

The draft decision was adopted.

The PRESIDENT: May I take it that it is the wish of the Assembly to conclude its consideration of sub-item (b) of agenda item 108 as well as its consideration of agenda item 108 as a whole?

It was so decided.

The PRESIDENT: The Assembly will now consider the report (A/48/627) of the Third Committee on agenda item 109, entitled "Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family".

The Assembly has before it six draft resolutions recommended by the Third Committee in paragraph 28 of that report and one draft decision recommended by the Third Committee in paragraph 29.

The Assembly will first take decisions on the six draft resolutions recommended by the Third Committee in paragraph 28 of its report.

We turn first to draft resolution I, entitled "Positive and full inclusion of persons with disabilities in all aspects of society and the leadership role of the United Nations therein". The Third Committee adopted this draft resolution without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution I was adopted (resolution 48/95).

The PRESIDENT: Draft resolution II is entitled "Standard Rules on the Equalization of Opportunities for Persons with Disabilities". The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution II was adopted (resolution 48/96).

The PRESIDENT: Draft resolution III is entitled "International Day of Disabled Persons". The Third Committee adopted this draft resolution without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution III was adopted (resolution 48/97).

The PRESIDENT: Draft resolution IV, entitled "Implementation of the International Plan of Action on Ageing", was adopted by the Third Committee without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution IV was adopted (resolution 48/98).

The PRESIDENT: Draft resolution V, which is entitled "Towards full integration of persons with disabilities in society: a continuing world programme of action", was adopted by the Third Committee without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution V was adopted (resolution 48/99).

The PRESIDENT: Draft resolution VI is entitled "World Summit for Social Development". The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution VI was adopted (resolution 48/100).

The PRESIDENT: The Assembly will now take a decision on the draft decision recommended by the Third Committee in paragraph 29 of its report (A/48/627). The draft decision, entitled "Documents considered by the General Assembly in connection with the question of social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family", was adopted by the Third Committee. May I take it that the Assembly wishes to do the same?

The draft decision was adopted.

The PRESIDENT: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 109?

It was so decided.

The PRESIDENT: The Assembly will now consider the report (A/48/628) of the Third Committee on agenda item 110, entitled "Crime prevention and criminal justice".

The Assembly will now take a decision on the three draft resolutions recommended by the Third Committee in paragraph 18 of that report.

We turn first to draft resolution I, entitled "United Nations African Institute for the Prevention of Crime and the Treatment of Offenders". A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Republic of Korea, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zaire, Zambia, Zimbabwe

Against: United States of America

Abstaining: Albania, Australia, Austria, Azerbaijan, Belarus, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, San Marino, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland

Draft resolution I was adopted by 119 votes to 1, with 49 abstentions (resolution 48/101).

The PRESIDENT: Draft resolution II, which is entitled "Prevention of alien smuggling", was adopted by the Third Committee. May I take it that the Assembly wishes to do the same?

Draft resolution II was adopted (resolution 48/102).

The PRESIDENT: Draft resolution III is entitled "Crime prevention and criminal justice". The Third Committee adopted this draft resolution. May I take it that the Assembly wishes to do the same?

Draft resolution III was adopted (resolution 48/103).

The PRESIDENT: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 110?

It was so decided.

The PRESIDENT: The Assembly will now consider the report (A/48/629) of the Third Committee on agenda item 111, entitled "Advancement of women".

The Assembly will now take a decision on the eight draft resolutions recommended by the Third Committee in paragraph 23 of that report.

We turn first to draft resolution I, entitled "Declaration on the elimination of violence against women". The Third Committee adopted this draft resolution without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution I was adopted (resolution 48/104).

The PRESIDENT: Draft resolution II is entitled "International Research and Training Institute for the Advancement of Women". The Third Committee adopted it without a vote. May I take it that the Assembly also wishes to do so?

Draft resolution II was adopted (resolution 48/105).

The PRESIDENT: Draft resolution III is entitled "Improvement of the status of women in the Secretariat". The Third Committee adopted this draft resolution without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution III was adopted (resolution 48/106).

The PRESIDENT: Draft resolution IV is entitled "United Nations Development Fund for Women". The Third Committee adopted this draft resolution without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution IV was adopted (resolution 48/107).

The PRESIDENT: Draft resolution V is entitled "Implementation of the Nairobi Forward-Looking Strategies for the Advancement of Women". The Third Committee adopted this draft resolution without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution V was adopted (resolution 48/108).

The PRESIDENT: Draft resolution VI is entitled "Improvement of the situation of women in rural areas". The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution VI was adopted (resolution 48/109).

The PRESIDENT: Draft resolution VII is entitled "Violence against women migrant workers". The Third Committee adopted this draft resolution without a vote. May I take it that the Assembly also wishes to do so?

Draft resolution VII was adopted (resolution 48/110).

The PRESIDENT: Draft resolution VIII is entitled "Merger of the International Research and Training Institute for the Advancement of Women and the United Nations Development Fund for Women". The Third Committee adopted this draft resolution without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution VIII was adopted (resolution 48/111).

The PRESIDENT: I call now on representatives who wish to speak in explanation of vote.

Mr. TROTTIER (Canada): My delegation was pleased to join in the consensus on draft resolution I, "Declaration on the elimination of violence against women". The Declaration is a significant step forward in dealing with a problem that is all too common throughout the world, and in all societies. The Declaration is the first United Nations instrument to contain an extensive definition of the forms of violence against women.

We are pleased that the Declaration was adopted by consensus. My delegation takes particular satisfaction in the adoption of the Declaration, as it derives from a 1991 Canadian initiative in the United Nations Commission on the Status of Women.

Ms. WONG (Australia): Australia warmly welcomes the adoption by the General Assembly of the Declaration on the Elimination of Violence against Women. Adoption of the Declaration is a significant indication of the international commitment to the elimination of violence against women, and a major step towards that end. Adoption of the Declaration significantly reinforces our common commitment, enshrined in the United Nations Charter and the Universal Declaration of Human Rights, to promote universal respect for fundamental human rights and the equal rights of women and men. Adoption of the Declaration is an important expression of support for the human rights of women and for the work of the United Nations in promoting equality for women.

We have long recognized the need to have women's rights accepted more fully as human rights, and to have violence against women properly recognized as the human rights violation that it is. In that context, we also look forward to the appointment at the next session of the Commission on Human Rights of a special rapporteur on violence against women. We must now maintain the momentum in our endeavours to bring an end to so fundamental a human rights violation suffered by women. We look forward to further follow-up next year at the Commission on the Status of Women.

Mrs. LIMJUCO (Philippines): We welcome the adoption of the Declaration on the Elimination of Violence against Women, and we hope it will be the beginning of a new era for women.

Mr. McKINNON (New Zealand): I would like to join the representatives of Canada, Australia and the Philippines in extending a particular welcome to the adoption of the Declaration on the Elimination of Violence against Women. My delegation would wish to pay a tribute to those agencies and individuals that have helped develop the Declaration.

In the view of my Government, the Declaration is a very important addition to the body of international human rights instruments. It underlines that the adoption of the Declaration by the international community sends an unambiguous message that all forms of gender-based violence are unacceptable. My Government expresses the hope that the adoption of this Declaration by the General Assembly will signal an end to social and official tolerance of such violence.

The PRESIDENT: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 111?

It was so decided.

The PRESIDENT: We shall now consider the report of the Third Committee (A/48/630) on agenda item 112, entitled "International drug control". The Assembly will take a decision on the draft resolution recommended by the Committee in paragraph 7 of that report. The draft resolution is entitled "International action to combat drug abuse and illicit production and trafficking".

The Third Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 48/112).

The PRESIDENT: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 112?

It was so decided.

The PRESIDENT: The Assembly will now proceed to consider the report of the Third Committee (A/48/631) on agenda item 113, entitled "Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions". The Assembly will take a decision on the six draft resolutions recommended by the Third Committee in paragraph 31 of that report.

We turn first to draft resolution I, entitled "Convening of a United Nations conference for the comprehensive consideration and review of the problems of refugees, returnees, displaced persons and migrants". The Committee adopted draft resolution I without a vote. May I take it that the General Assembly wishes to do likewise?

Draft resolution I was adopted (resolution 48/113).

The PRESIDENT: Draft resolution II is entitled "Emergency international assistance to refugees and displaced persons in Azerbaijan". The Committee adopted draft resolution II without a vote. May I take it that the General Assembly wishes to do the same?

Draft resolution II was adopted (resolution 48/114).

The PRESIDENT: Draft resolution III is entitled "Enlargement of the Executive Committee of the Programme of the High Commissioner for Refugees".

The Committee adopted draft resolution III without a vote. May I take it that the General Assembly wishes to do the same?

Draft resolution III was adopted (resolution 48/115).

The PRESIDENT: Draft resolution IV, entitled "Office of the United Nations High Commissioner for Refugees", was adopted by the Third Committee. May I take it that the General Assembly too wishes to adopt the draft resolution?

Draft resolution IV was adopted (resolution 48/116).

The PRESIDENT: Draft resolution V is entitled "International Conference on Central American Refugees". The Third Committee adopted draft resolution V. May I take it that the General Assembly wishes to do the same?

Draft resolution V was adopted (resolution 48/117).

The PRESIDENT: Draft resolution VI, entitled "Assistance to refugees, returnees and displaced persons in Africa", was adopted by the Third Committee. May I take it that the General Assembly too wishes to adopt the draft resolution?

Draft resolution VI was adopted (resolution 48/118).

The PRESIDENT: I call on the representative of the United States of America, who wishes to speak in explanation of vote.

Mr. MARRERO (United States of America): The United States delegation did not participate in the adoption of draft resolution VI, entitled "Assistance to refugees, returnees and displaced persons in Africa", under agenda item 113, for the reasons we have previously stated in the Third Committee.

The PRESIDENT: May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 113?

It was so decided.

The PRESIDENT: We turn now to part I of the report of the Third Committee (A/48/632) on agenda item 114, entitled "Human rights questions". May I take it that the Assembly wishes to take note of part I of the report?

It was so decided.

The PRESIDENT: The Assembly will now consider part II of the report of the Third Committee (A/48/632/Add.1) on agenda item 114 (a), entitled "Implementation of human rights instruments". The Assembly will take a decision on the two draft resolutions recommended by the Third Committee in paragraph 11 of that report.

Draft resolution I is entitled "International Covenants on Human Rights". The Third Committee adopted draft resolution I without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution I was adopted (resolution 48/119).

The PRESIDENT: Draft resolution II, entitled "Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights", was adopted by the Third Committee without a vote. May I take it that the General Assembly too wishes to adopt the draft resolution?

Draft resolution II was adopted (resolution 48/120).

The PRESIDENT: May I take it that it is the Assembly's wish to conclude this stage of its consideration of agenda item 114 (a)?

It was so decided.

The PRESIDENT: The Assembly will now consider parts III and V (A/48/632/Add.2 and 4) of the report of the Third Committee on sub-item (b) of agenda item 114, entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

The Assembly will first consider part III (A/48/632/Add.2).

In accordance with the decision taken at the 84th meeting, I call on the representative of Bolivia.

Mr. CAMACHO OMISTE (Bolivia) *(interpretation from Spanish)*: The delegation of Bolivia has asked to speak in order to refer, under agenda item 114 (b), to the proclamation of the International Decade of the World's Indigenous People by draft resolution XI, which we co-sponsored.

While we feel that *pueblos*, the word we use in Bolivia, is more appropriate than the *poblociones* used in the Spanish title of the draft resolution, my delegation fully supports the important recommendation of the World Conference on Human Rights, held last June in Vienna, that an international decade of the world's indigenous people be proclaimed - a recommendation which will be approved at this meeting of the General Assembly.

In Bolivia - as the President of our Republic, Mr. Gonzalo Sánchez de Lozada, told the Assembly - we do not merely pay lip service to indigenous participation in our Government. We are proud that after 500 years an Aymará indigenous person, Mr. Victor Hugo Cárdenas, a man of great intellect, is the Republic's constitutional Vice-President. His presence, along with that of other important leaders at the highest levels of the Executive and in the Parliament, is conclusive proof that in Bolivia we are ready to remedy age-old injustices of exclusion and marginalization. This shows the changes we are making, going beyond promises and statements. Our belief is that in our country, and at the world level, we have to achieve unity through diversity.

The Government of Bolivia is, through me, expressing its particular interest in this item. We would commend the General Assembly for its proclamation of the International Decade of the World's Indigenous People, and we express our deepest desire that effective follow-up action will be taken in planning the Decade so that it may be highly successful.

Because of Bolivia's great interest in this question of indigenous peoples, my Government wishes formally to extend an invitation for the first meeting to prepare the programme of activities and projects for the International Decade of the World's Indigenous People to be held in the city of Cochabamba, Bolivia, in the first quarter of 1994. Details will be worked out with the Secretary-General and relevant United Nations bodies. The Government of Bolivia hopes that this initiative will be given proper attention.

The PRESIDENT: I shall now call on those representatives who wish to explain their votes or positions before the voting.

Mr. FERNANDEZ PALACIOS (Cuba) *(interpretation from Spanish):* Draft resolution XII, entitled "Enhancing the effectiveness of the principle of periodic and genuine elections", continues along a road which is taking it further away from the norms established by Member States in respect of national electoral procedures.

The draft resolution makes the legitimacy of elections, which are sovereign acts of States and peoples, contingent on an assessment made by the United Nations, at the same time subordinating the granting of electoral assistance to the results of that assessment, which violates the principle of sovereignty and is counter to the Charter and international law. The Secretariat has no right to pass judgement on the electoral procedures of Member States, since only those States themselves have the power to decide on their electoral processes and on the need for assistance with them.

The United Nations must confine itself to facilitating assistance requested of it by a decision of the appropriate intergovernmental bodies. It is in no way appropriate for the Electoral Assistance Unit to assume functions belonging to Member States. The Electoral Assistance Unit has neither the right nor the power to monitor the political institutions of States or to provide guidance to them on developing their institutions, whether under pretexts relating to the provision of electoral assistance or any other pretext.

Paragraphs 3 and 4, which are included in the text for the first time, are an attempt to transform the United Nations Electoral Assistance Unit into an instrument for political interference and ideological influence in States which request electoral assistance. My delegation also has serious reservations about the content of paragraphs 9 and 10, which we believe are further proof of what seems to be becoming a dangerous practice in the work of the Third Committee.

We believe that it is time to abide by the provisions of resolution 45/248 B, which reaffirmed that the Fifth Committee is the appropriate Main Committee of the General Assembly entrusted with responsibilities for administrative and budgetary matters. At the same time, concern was expressed over the tendency of substantive Committees and other intergovernmental bodies to involve themselves with administrative and budgetary matters. We must recall, as we did last year, that the guidelines mentioned in paragraph 10, a revised version of which has now been requested, have never been considered or approved by Member States.

For all of these reasons, Cuba will not be able to vote in favour of, or to accept a consensus on, this draft resolution.

Ms. FENG Cui (China) *(interpretation from Chinese)*: The Chinese delegation will support draft resolution XI on the International Decade of the World's Indigenous People, which is contained in document A/48/632/Add.2. The Chinese delegation would like, before casting its vote, to make the following observations.

First, there is not at present any clear definition of "indigenous people". However, it is universally recognized that "indigenous people" and "national minority" are completely different concepts and that the protection of the rights of minority nationalities and the restoration of the rights of indigenous people are completely different obligations.

We hope that, in organizing activities in respect of indigenous people and in preparing the relevant documents and publications, the United Nations Secretariat and the relevant bodies of the United Nations system will avoid unnecessary complication by ensuring that "national minority" is not confused with "indigenous people".

Secondly, China has always been a unified country embracing many nationalities. All 56 Chinese nationalities are original inhabitants of China. They have been there throughout a long process of history. Unlike some other regions of the world, China does not have what are referred to as "indigenous people".

Thirdly, the Chinese Government supports the General Assembly's declaration of the International Decade of the World's Indigenous People. We hope that the United Nations and the relevant international organizations and countries will work effectively in organizing the activities of the Decade.

The Chinese delegation states these positions so that they may be reflected in the records of the Assembly.

Mrs. LIMJUCO (Philippines): I should like to refer to draft resolution VIII in part III of the report (A/48/632/Add.2), which is entitled "Elimination of all forms of religious intolerance". My delegation would have become a sponsor of this draft resolution had not the 13-hour difference between my capital and New York prevented our receipt of timely advice on the matter.

The PRESIDENT: The Assembly now has before it 21 draft resolutions recommended by the Third Committee in paragraph 88 of part III of its report (A/48/632/Add.2). I shall put these draft resolutions to the Assembly individually - with the exception of draft resolution XI, action on which is postponed until tomorrow afternoon. After all the decisions have been taken, representatives will again have an opportunity to explain their votes.

Draft resolution I is entitled "World Conference on Human Rights". The report of the Fifth Committee on the programme budget implications of the draft resolution is contained in document A/48/795. The Third Committee adopted draft resolution I without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution I was adopted (resolution 48/121).

The PRESIDENT: Draft resolution II is entitled "Human rights and terrorism". The Third Committee adopted draft resolution II without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution II was adopted (resolution 48/122).

The PRESIDENT: Draft resolution III is entitled "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms".

The voting process has now begun. A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Armenia, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zaire, Zambia, Zimbabwe

Against: Albania, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Liechtenstein, Luxembourg, Malta, Monaco, Netherlands, Norway, Poland, Portugal, Republic of Moldova, Romania, San Marino, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Argentina, Azerbaijan, Belarus, Bosnia and Herzegovina, Estonia, Fiji, Georgia, Kazakhstan, Latvia, Lithuania, Marshall Islands, Micronesia (Federated States of), New Zealand, Panama, Republic of Korea, Russian Federation, Slovakia, Slovenia, Solomon Islands, Turkey, Ukraine

Draft resolution III was adopted by 115 votes to 34, with 21 abstentions (resolution 48/123).

The PRESIDENT: Draft resolution IV is entitled "Respect for the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes".

A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, China, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Ethiopia, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Peru, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zaire, Zimbabwe

Against: Albania, Argentina, Armenia, Australia, Austria, Azerbaijan, Belarus, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Monaco, Netherlands, New Zealand, Norway, Panama, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Slovakia, Slovenia, Spain, Sweden, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Belize, Bolivia, Chile, Costa Rica, El Salvador, Fiji, Georgia, Jamaica, Mauritius, Micronesia (Federated States of), Nicaragua, Paraguay, Philippines, Solomon Islands, Turkmenistan, Uruguay, Zambia

Draft resolution IV was adopted by 101 votes to 51, with 17 abstentions (resolution 48/124).

The PRESIDENT: Draft resolution V is entitled "Strengthening of United Nations action in the human rights field through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity". The Third Committee adopted draft resolution V without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution V was adopted (resolution 48/125).

The PRESIDENT: Draft resolution VI is entitled "United Nations year for tolerance". The Third Committee adopted this draft resolution without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution VI was adopted (resolution 48/126).

The PRESIDENT: Draft resolution VII is entitled "Human rights education decade". The Third Committee adopted draft resolution VII without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution VII was adopted (resolution 48/127).

The PRESIDENT: Draft resolution VIII is entitled "Elimination of all forms of religious intolerance". The Third Committee adopted draft resolution VIII without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution VIII was adopted (resolution 48/128).

The PRESIDENT: Draft resolution IX is entitled "Strengthening of the Centre for Human Rights of the Secretariat". The Third Committee adopted draft resolution IX without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution IX was adopted (resolution 48/129).

The PRESIDENT: Draft resolution X is entitled "Right to development". The Third Committee adopted draft resolution X without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution X was adopted (resolution 48/130).

The PRESIDENT: Members will recall that, as indicated earlier, action on draft resolution XI, entitled "International Decade of the World's Indigenous People", is postponed until tomorrow afternoon.

Draft resolution XII is entitled "Enhancing the effectiveness of the principle of periodic and genuine elections". A separate, recorded vote has been requested on operative paragraph 3.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Spain, Sri Lanka, Suriname, Swaziland, Sweden, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Yemen, Zaire, Zambia, Zimbabwe

Against: China, Cuba, Democratic People's Republic of Korea, Iraq, Myanmar

Abstaining: Djibouti, Guinea-Bissau, Libyan Arab Jamahiriya, Philippines, Sudan, Syrian Arab Republic, Thailand, Uganda, Viet Nam

Operative paragraph 3 was retained by 149 votes to 5, with 9 abstentions.

The PRESIDENT: A separate, recorded vote has been requested on operative paragraph 4.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Spain, Sri Lanka, Suriname, Swaziland, Sweden, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Yemen, Zaire, Zambia, Zimbabwe

Against: China, Cuba, Democratic People's Republic of Korea, Iraq, Myanmar

Abstaining: Djibouti, Libyan Arab Jamahiriya, Philippines, Sudan, Syrian Arab Republic, Thailand, Uganda, Viet Nam

Operative paragraph 4 was retained by 150 votes to 5, with 8 abstentions.

The PRESIDENT: I now put to the vote draft resolution XII as a whole.

A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lebanon, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yemen, Zaire, Zambia

Against: None

Abstaining: China, Cuba, Democratic People's Republic of Korea, Iraq, Libyan Arab Jamahiriya, Myanmar, Philippines, Sudan, Syrian Arab Republic, Uganda, United Republic of Tanzania, Viet Nam, Zimbabwe

Draft resolution XII, as a whole, was adopted by 153 votes to none, with 13 abstentions (resolution 48/131).

The PRESIDENT: Draft resolution XIII is entitled "Strengthening of the rule of law". The Third Committee adopted draft resolution XIII without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution XIII was adopted (resolution 48/132).

The PRESIDENT: Draft resolution XIV is entitled "International Year of the World's Indigenous People, 1993". The Third Committee adopted draft resolution XIV without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution XIV was adopted (resolution 48/133).

The PRESIDENT: Draft resolution XV is entitled "National institutions for the promotion and protection of human rights". The Third Committee adopted draft resolution XV without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution XV was adopted (resolution 48/134).

The PRESIDENT: Draft resolution XVI is entitled "Internally displaced persons". The Third Committee adopted draft resolution XVI without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution XVI was adopted (resolution 48/135).

The PRESIDENT: Draft resolution XVII is entitled "Plight of street children". The Third Committee adopted draft resolution XVII without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution XVII was adopted (resolution 48/136).

The PRESIDENT: Draft resolution XVIII is entitled "Human rights in the administration of justice". The Third Committee adopted draft resolution XVIII without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution XVIII was adopted (resolution 48/137).

The PRESIDENT: Draft resolution XIX is entitled "Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities". The Third Committee adopted draft resolution XIX without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution XIX was adopted (resolution 48/138).

The PRESIDENT: Draft resolution XX is entitled "Human rights and mass exoduses". The Third Committee adopted draft resolution XX without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution XX was adopted (resolution 48/139).

The PRESIDENT: Draft resolution XXI is entitled "Human rights and scientific and technological progress". The Third Committee adopted draft resolution XXI without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution XXI was adopted (resolution 48/140).

The PRESIDENT: We shall now consider part V (A/48/632/Add.4) of the report of the Third Committee on sub-item (b) of agenda item 114.

I call on those representatives who wish to explain their positions.

Mr. HYON (Democratic People's Republic of Korea): My delegation would like to explain its position on the establishment of a High Commissioner for the promotion and protection of all human rights, proposed in document A/48/632/Add.4.

The delegation of the Democratic People's Republic of Korea made it clear at the World Conference on Human Rights and in the Third Committee that it opposed the establishment of the post of the High Commissioner for Human Rights.

It is a well-known fact that in international relations the sovereignty of independent States is being interfered with, unreasonable pressure is being imposed, and partiality, double standards and selectivity are being enforced under the pretext of the human rights issue.

It is indeed regrettable that even international treaties and instruments are being abused by some countries or groups of countries for political purposes. Several developing countries have been victimized. Given those circumstances it is by no means an accident that many developing countries expressed concern at the Vienna Conference and at this session of the General Assembly, in particular in meetings of the Working Group of the Third Committee, about whether the proposed post could truly contribute to the protection and promotion of human rights, in conformity with the United Nations Charter.

Based on the views I have just expressed, my delegation believes that the establishment of the post of High Commissioner for Human Rights should not have been discussed until the United Nations had been truly democratized. Only then would international cooperation in the field of human rights be constructive and based on principles of impartiality, objectivity, non-selectivity and non-politicization, and thereby enable due progress to be made in international efforts for the promotion of human rights. My delegation would stress that if the post of High Commissioner that is to be established is abused through its use as a tool for infringing upon the sovereignty of other countries, in a manner incompatible with its mandate - and, in particular, with the Charter of the United Nations - this will be resolutely rejected.

Mr. ELARABY (Egypt) *(interpretation from Arabic)*: I should like at the outset to express my delegation's appreciation to Ambassador Eliasson on the success of his outstanding and tireless efforts.

The Egyptian delegation has asked to make a statement prior to the adoption of the draft resolution which was issued in the Third Committee as document A/C.3/48/L.85 to highlight the following points, on the basis of which my delegation joined the consensus.

The idea of establishing the post of United Nations High Commissioner for Human Rights has been the subject of deliberation in United Nations forums for nearly half a century.

While the reality of the world political situation had prevented the achievement of that aim in the past, the consensus that has been achieved in the form of the draft resolution before us today is, by its very nature, a compromise between various alternative proposals concerning the nature of the post that were characterized by significant conceptual and philosophical differences. The nature and thrust of the final agreement reached, therefore, differs from the alternatives previously submitted.

There is no doubt that the establishment of this post through an international convention would have lent its mandate an obligatory character and would have imparted a new and unprecedented dimension to the activities of the United Nations in the field of human rights.

It is a virtual certainty that a thorough assessment of the activities of the United Nations in the field of human rights and an evaluation of its existing mechanisms with a view to determining their current effectiveness and their future suitability to the role of the organization would have contributed significantly to the drafting of a more clearly defined mandate for the office of High Commissioner.

Now that it has been decided to establish a post of High Commissioner for Human Rights and that agreement has been reached on its mandate, it is of the utmost importance to reaffirm several basic principles that will govern the High Commissioner's work and the fulfilment of his mandate.

The responsibility for the universal promotion and protection of human rights without discrimination or selectivity between civil and political rights, on the one hand, and economic, social and cultural rights, including the right to development, on the other hand, is a cardinal principle. The universality of human rights and the universal nature of the High Commissioner's mandate confer upon the Commissioner a responsibility whose impartial fulfilment will directly reflect on the credibility of the post itself.

The second principle I wish to emphasize is the importance of adherence by the Commissioner to the purposes and principles of the Charter of the United Nations in the discharge of his mandate, especially respect for the sovereignty of States and their national legislation.

Finally, I wish to emphasize that the responsibility of formulating the policies of the United Nations is the responsibility of the Member States through the deliberative organs. It will therefore fall to the High Commissioner to implement the policies laid down by those organs of the United Nations.

Respect for the principles I have mentioned is key to the success of the work of the High Commissioner for Human Rights and to the promotion of the role of the United Nations in field of human rights. On the basis of these principles the delegation of Egypt is pleased to join the consensus on the draft resolution before us.

The PRESIDENT: The Assembly has before it a draft resolution recommended by the Third Committee in paragraph 14 of part V of its report (A/48/632/Add.4) and a draft decision recommended by the Committee in paragraph 15.

We turn first to the draft resolution in paragraph 14 of part V of the report. The report of the Fifth Committee on the programme budget implications of the draft resolution is contained in document A/48/796. The draft resolution, entitled "High Commissioner for the promotion and protection of all human rights", was adopted by the Third Committee by consensus. May I consider that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 48/141).

The PRESIDENT: Lastly, we turn to the draft decision, "Reports considered under the item entitled 'Human rights questions'," in paragraph 15 of part V of the Committee's report (A/48/632/Add.4). May I take it that the Assembly wishes to adopt the draft decision?

The draft decision was adopted.

The PRESIDENT: I shall now call upon those representatives wishing to make statements in explanation of vote or position.

Mr. WISNUMURTI (Indonesia): It is a privilege for me to speak on behalf of States members of the Non-Aligned Movement.

The draft resolution creating the post of High Commissioner for Human Rights that the Assembly has just adopted by consensus constitutes a significant step towards the promotion and protection of human rights through international cooperation, as called for by the Charter of the United Nations. The process through which the decision to create the post of High Commissioner was made is also a source of satisfaction. The adoption of the draft resolution by consensus is a manifestation not only of a spirit of cooperation and compromise among the Members of the United Nations but of a genuine will towards mutual understanding and accommodation of each other's interests and concerns. I believe it reflects the positive environment in which all human-rights issues should be discussed at all levels. We hope that the High Commissioner, whose post was created in such a cooperative manner, will discharge his or her mandate in the same spirit.

The positive roles played by Ambassador Eduard Kukan of the Slovak Republic, Chairman of the Third Committee, and Ambassador Ayala Lasso of Ecuador, Chairman of the Working Group dealing with this matter, have led to the successful outcome of our work. The leadership, wisdom and diplomatic skill of Ambassador Ayala Lasso certainly contributed to the consensus so essential to ensuring the effective implementation of the resolution just adopted.

We, the non-aligned countries, joined the consensus because we believe that the establishment of the post of High Commissioner for Human Rights, with an appropriate mandate as provided for in the resolution, could make a positive contribution to the work of the United Nations in the field of human rights. It is important to note that the resolution sets forth the guiding principles to be observed by the High Commissioner in discharging his or her mandate, including the principles of impartiality, objectivity and non-selectivity, in the spirit of constructive international dialogue and cooperation; and the need to respect the sovereignty, territorial integrity and domestic jurisdiction of States, as well as the principle that all human rights are universal, indivisible, interdependent and interrelated, and that as such they should be given the same emphasis.

It is also gratifying to note that the right to development, as established in the Declaration on the Right to Development, is given prominence in the resolution as one of the guiding principles and as a part of the High Commissioner's mandate. Equally important is the reaffirmation in the resolution that various historical, cultural and religious backgrounds must be borne in mind by the High Commissioner. We, the non-aligned countries, are confident that the High Commissioner will, in carrying out his or her duties, be continuously guided by these essential guidelines.

Mr. Elaraby (Egypt), Vice-President, took the Chair.

One of the most crucial elements of the resolution is the mandate of the High Commissioner. As a result of our joint efforts to reach a consensus through negotiation, we have established a mandate that is wide-ranging and yet clearly defined so as to enable the High Commissioner to operate effectively while observing the guiding principles provided in the resolution. In this connection, it is pertinent to note that the High Commissioner will have to play an active role and engage in dialogue with all Governments in implementing his or her mandate. We wish to emphasize the word "dialogue", a modality which will allow the High Commissioner to promote and protect all human rights through international cooperation, as foreseen in the Charter, and to refrain from adopting antagonistic and confrontational approaches and actions and self-serving rhetoric. It is our considered view that this cooperative spirit should also govern the annual report of the High Commissioner requested in the resolution.

We consider it essential that the establishment of the post of High Commissioner should also enhance the effectiveness of other bodies of the United Nations dealing with human rights issues, in particular the Centre for Human Rights. The ability of the Centre to provide technical assistance and other support to developing countries is of particular importance to the non-aligned countries. It is for this reason that we hope that the High Commissioner will work in a cooperative fashion with the Member States, not only on various human rights matters, but also on the process of strengthening essential United Nations human rights mechanisms.

The countries of the Non-Aligned Movement look forward to productive cooperation with the new High Commissioner and to strengthening the ability of the United Nations to promote and protect human rights and fundamental freedoms.

Before concluding, I wish to express our hope that all of the States Members of the Organization will demonstrate the same determination, seriousness and spirit of cooperation and mutual accommodation thus far displayed in the Open-ended Working Group of the Third Committee as it begins to address other aspects of the implementation of the recommendations of the Vienna Declaration and Programme of Action early next year.

Mr. TAYLHARDAT (Venezuela) *(interpretation from Spanish):* The representative of Indonesia has just made a statement on behalf of the members of the Movement of Non-Aligned Countries, of which Venezuela is one, and of course my delegation fully agrees with everything he said. However, my delegation would like to express its pleasure at our country's being able unreservedly to characterize this decision as one of historic significance for the United Nations and its Member States.

The establishment by consensus of the post of High Commissioner for Human Rights is the clearest possible demonstration of the importance that Member States attach to the promotion and protection of human rights and to the universal recognition of the fundamental role to be played by the international community in its efforts to ensure full respect for those rights. The mandate established in the resolution gives the High Commissioner all the powers necessary to discharge the functions that our Organization is called upon to assume in protecting the rights and fundamental freedoms of the individual in any and every part of the world.

The resolution we have adopted contains a careful balance in the definition of the work to be done by the High Commissioner. For my country, the essential aspect of this mandate is that relating to the promotion and protection of all human rights by all people. In implementing this, the High Commissioner should enjoy the institutional support of the Organization and the necessary cooperation of all Member States. We are convinced that the decision we have taken will help to focus appropriate and timely attention on the complex and varied problems of human rights facing the international community today.

I cannot conclude without highlighting the importance of the broad participation of delegations in the negotiating process and of the constructive spirit and constant flexibility demonstrated by those who were involved. Finally, a word of congratulation goes to Ambassador José Ayala Lasso of Ecuador, who was able to lead this complex negotiating process to success.

Mr. SREENIVASAN (India): We endorse the statement made in explanation of vote by the Permanent Representative of Indonesia on behalf of the Movement of Non-Aligned Countries. The historic consensus that we have reached on the establishment of the post of High Commissioner for Human Rights is reflective of the post-Vienna phase of international cooperation in the promotion and protection of human rights. Human rights ceased to be an ideological issue at the end of the cold war, but soon thereafter there was a tendency to make human rights a North-South issue, some States claiming to be the champions of human rights and criticizing other, mostly poorer, nations as violators.

The World Conference on Human Rights in Vienna was a turning-point because there we adopted a global approach, not only to different categories of human rights, but also to the reasons for violations and their possible remedies. It was the consensus in Vienna on ways and means to promote and protect all human rights for all people that has led today to the consensus on the mandate of the High Commissioner for Human Rights. We hope that the actions of the High Commissioner will also be guided by this consensual approach, which will strengthen his credibility and avoid the politicization of human rights issues.

We note that the High Commissioner is to function within the framework of the United Nations Charter and under the direction and authority of the Secretary-General. He has the obligation to respect the sovereignty, territorial integrity and domestic jurisdiction of States while promoting universal respect for, and observance of, all human rights. He cannot be selective or discriminatory in his mission because all human rights are indivisible and interdependent. Moreover, he has the particular responsibility for promoting balanced and sustainable development and ensuring the realization of the right to development, particularly by enhancing the support of the relevant bodies of the United Nations system for that purpose.

The dialogue in which the High Commissioner engages with Governments should be at the appropriate level and in a spirit of cooperation rather than confrontation, and it should reflect the principles of universality, objectivity and non-selectivity. In the ultimate analysis, it is the Governments themselves that are accountable to their people and responsible for the promotion and protection of their human rights. The role of the United Nations and the High Commissioner should be to assist this process as requested. A major function of the High Commissioner will be the coordination of human rights activities throughout the United Nations system. In my delegation's view, such coordination would relate to all United Nations organs, bodies and specialized agencies mandated to deal with human rights in accordance with the Vienna Declaration and Programme of Action.

The President returned to the Chair.

The report the High Commissioner submits on his activities to the Commission on Human Rights will enable the Commission to assess the human-rights situation in the world and to take remedial measures wherever feasible.

The Vienna Declaration stipulates that States should eliminate all violations of human rights and their causes, as well as obstacles to the enjoyment of these rights. Among the obstacles are extreme poverty, all forms of racism and racial discrimination, and acts, methods and practices of terrorism. We are glad to note that the international community expects the High Commissioner to play a constructive role in assisting States to combat these obstacles.

We owe a debt of gratitude to the Chairman of the Third Committee, Ambassador Eduard Kukan of Slovakia, for facilitating a consensus on the mandate of the Working Group that dealt with this matter. The Chairman of the Working Group, Ambassador José Ayala Lasso of Ecuador, has won universal acclaim for his wisdom, diplomatic skills and deep knowledge of human-rights issues. The guidance of Ambassador Ayala Lasso at different stages of the work was of immense value to the Working Group. At moments of uncertainty and crisis, the confidence and optimism of the Chairman held the Working Group together. My delegation was privileged to work closely with him and to render assistance to the extent possible.

The success of the post of High Commissioner will depend on his capacity to protect and promote human rights in a spirit of cooperation with the Member States. India remains fully committed to the protection and promotion of human rights. We shall extend our cooperation to the Office of the High Commissioner for Human Rights in the letter and spirit of the United Nations

Charter and of the resolution we have just adopted by consensus.

Mr. ALI (Iraq) (*interpretation from Arabic):* First, my delegation would like to express its full support for the statement of the representative of Indonesia, who spoke a moment ago on behalf of the Non-Aligned Movement.

Secondly, the delegation of Iraq joined the consensus on the resolution we have just adopted, entitled "High Commissioner for the Protection and Promotion of all Human Rights". My delegation's position throughout the talks in the Third Committee and in the meetings of the Working Group was in conformity with that of the non-aligned countries.

Now my delegation would like to express the hope that the High Commissioner for Human Rights, when appointed, will discharge his mandate in accordance with the purposes and principles for which the post was established - namely, the protection and promotion of human rights for all, as indicated in operative paragraph 4 and other paragraphs of the resolution. My delegation also hopes this post will not be exploited and abused by some, as is the case with regard to the Rapporteurs and Special Representatives of the Commission on Human Rights, in the service of purely political interests which aim at abusing certain countries, interfering in their internal affairs and infringing on their national sovereignty.

Mr. MARRERO (United States of America): This is a historic occasion. By its action today to establish the office of High Commissioner for Human Rights, the United Nations has struck an important blow for freedom. In creating this office, the nations of the world have reaffirmed the importance, indeed the indispensability, of respect for human rights. They have declared their commitment to putting people first, to holding the dignity and development of individuals above all other considerations. They have restored human rights to the prominence intended by the framers of the Charter of this great Organization.

Creating an office of High Commissioner is a major step forward. It reflects United States policy, dating back to the time of Eleanor Roosevelt, that the United Nations should be a force for enhancing human dignity and respect for basic civil and political rights.

There is much a High Commissioner will be able to do, but we should have no illusions. The power to grant or deny basic rights will remain in the hands of national Governments. It will remain our task to persuade Governments that nations are not weakened - but, rather, strengthened - when their citizens are able to live free from repression and fear. A strong High Commissioner can be an important ally in this effort.

The Assembly's action this year, after numerous past efforts to create an office of High Commissioner failed, is representative of a new spirit of cooperation and seriousness of purpose within this body.

As powerful as today's action is, it is in the years ahead that the merit of our decision will be revealed: in the daily work of the High Commissioner, as he or she brings to the United Nations system a new vigour in its promotion of human rights, in its protection of victims and in its effort to create the conditions essential for lives of fulfilment, dignity and respect. This decision will bring new hope to individuals who are oppressed, wherever they may be. May the High Commissioner serve as a beacon of freedom and justice.

We eagerly await the nomination by the Secretary-General of an outstanding candidate for the post. We believe that every effort should be made to have a High Commissioner in place before the session of the Commission on Human Rights at the end of January. For our part, we pledge to work closely with the High Commissioner, to offer assistance whenever and wherever we can and to join with other Governments to support the achievement of human rights and fundamental freedoms for all.

Finally, I wish to commend the efforts of Ambassador Kukan in guiding the work of the Third Committee in this respect. And I cannot conclude without adding the voice of my delegation to the voices of those who have praised the diplomatic skills of Ambassador José Ayala Lasso, the Permanent Representative of Ecuador. His outstanding leadership in guiding the Working Group of the Third Committee that drafted this resolution will be long remembered by my delegation. We wish to commend also the important contributions made to this effort by Ambassadors Chew of Singapore and Saboya of Brazil.

Mr. NOTERDAEME (Belgium) (*interpretation from French):* On behalf of the European Union, I wish to say that the establishment of a post of High Commissioner for Human Rights was recommended by the World Conference on Human Rights held in Vienna. Thus, it is a priority issue for the European Union at this session. The result that has been achieved is for us most significant.

The decision the Assembly has just taken therefore marks an important step for the United Nations in the field of human rights. The European Union is very happy to note that the international community achieved the consensus necessary to establish the post of High

Commissioner for Human Rights. The draft resolution we have just adopted reflects a consensus position of the General Assembly, and it will allow the future High Commissioner to assume his functions in the best conditions.

The European Union wishes to thank the Chairman of the Working Group, Ambassador Ayala Lasso, who made this remarkable result possible.

The European Union hopes that the High Commissioner for Human Rights will be appointed as soon as possible. It also hopes that the Secretary-General will take the measures necessary to implement this decision while bearing in mind that the High Commissioner for Human Rights will be called upon to direct the Centre for Human Rights, which must be strengthened if it is to carry out all the tasks entrusted to it.

Mr. KALPAGÉ (Sri Lanka): The consensus we have reached for the creation of the post of United Nations High Commissioner for Human Rights is an achievement we all share. That achievement is all the more notable because it has crowned a critical exercise in which differing approaches to human rights sometimes came perilously close to being resolved by resorting to a vote. Had the decision been anything less than unanimous, it would have vitiated the fundamental goal which was sought: the universal promotion of human rights. Human rights is too serious a matter to have been left to the blunt expedient of a vote.

There is little need for my delegation to explain or interpret the consensus reached on the nature of the High Commissioner's functions and mandate. The resolution speaks for itself. However, a few remarks may be useful on the significance of the agreement reached and our expectations.

First, the sometimes rough course traversed in the drafting has had a sobering effect. The complexity of the Office of the High Commissioner and the intense interest displayed by delegations in long hours of drafting have clearly shown that no delegation or group of delegations can claim an exclusive patent to interpret, shape and apply human rights. The process towards consensus was a collective exercise to which all contributed. The representative of Indonesia, current Chairman of the non-aligned group, has already expressed the views of the group. It is useful to record that it was the non-aligned group which maintained that a consensual approach would be the most positive. If in the debate discordant notes were heard, the eventual achievement of harmony has vindicated the persistence of the non-aligned group in striving for consensus. My own delegation greatly valued the opportunity to contribute to the consensus-building within the non-aligned group as well as in the Working Group. My delegation wishes to convey our deep appreciation to Ambassador José Ayala Lasso of Ecuador, Chairman of the Working Group, for the results he achieved with patience, understanding and consummate diplomatic skill.

Secondly, the consensus was made possible because the international human rights debate has now been largely freed from the ideological gridlock of cold-war polemics. We now have a challenging opportunity to move away from any politically motivated prescriptive inquisitions to a more productive, positive and cooperative approach, free of subjectivity and selectivity. Let us ensure that cold-war confrontation will not be replaced by a no-less-sterile North-South dispute on approaches to the promotion of human rights and the work of the High Commissioner.

Thirdly, the consensus has confirmed the functional relevance, in considering human rights, of the right to development. As the Secretary-General pointed out at the Vienna Conference on Human Rights, international acceptance and cooperation in the realization of the right to development is central to a modern concept of the universality of human rights. Developing countries therefore expect the High Commissioner to play a catalytic role in promoting and protecting this right as an integral and functional part of human rights.

Finally, ensuring human rights for its citizens is a fundamental responsibility of each and every State. Beyond international instruments of human rights, the obligation of a State is first to the people it represents and serves. Any State which chooses to ignore this does so at its own peril. We expect that the dialogue with Governments and the promotional activities which the High Commissioner is to undertake will assist States in answering this compulsion.

As far as Sri Lanka is concerned, voluntary cooperation with the United Nations in the promotion of human rights has been a practical and consistent policy of my Government. This policy, which underlies our relations with United Nations human rights bodies such as the Commission on Human Rights, and indeed with many non-governmental organizations, will continue with respect to the High Commissioner as well. The policy of candour and cooperation with international human rights bodies is of course the logical extension of the responsibility the Government owes to our own people, irrespective of ethnic, religious or other factors. This is, after all, the ultimate responsibility of any State.

Mr. TROTTIER (Canada): My delegation attaches a great deal of importance to the consensus adoption of this resolution. In our view, it represents a recognition by the entire international community of the vital role that the High Commissioner will be playing and is a pledge of cooperation by each and every State Member of the United Nations.

Our satisfaction is all the greater because the mandate of the High Commissioner is very substantive and will allow the High Commissioner to take all appropriate steps to promote and protect all human rights.

This resolution significantly increases the ability of the United Nations and the international community to influence States to fulfil their responsibility for ensuring respect for all human rights. In the view of my delegation, the adoption today of the resolution on the High Commissioner represents a significant landmark in the efforts of the international community and this Organization to protect all human rights. We look forward to the early implementation of this resolution and, in particular, to the early nomination of a candidate for the position of High Commissioner.

Finally, my delegation wants to signal the cooperation of delegations from all regions in reaching agreement on this resolution. We agree with the representative of Sri Lanka that this is an achievement which all members of this Assembly share. We particularly want to salute the roles played in this process by the Chairman of the Third Committee, Ambassador Kukan, and the Chairman of the Working Group, Ambassador Ayala Lasso, as well as by Ambassador Chew of Singapore and Ambassador Saboya of Brazil.

Mrs. CASTRO de BARISH (Costa Rica) (*interpretation from Spanish*): Costa Rica noted with enthusiasm and satisfaction the very significant fact that, during the anniversary of the Universal Declaration of Human Rights on Friday, 10 December, there began the final stage of the process of the adoption by the open-ended Working Group of the Third Committee of the draft resolution which was adopted today by consensus, as it appears in the report of the Third Committee (A/48/632). Under this resolution, the Assembly has taken the decision to create the post of High Commissioner for the promotion and protection of all human rights.

We in Costa Rica feel very honoured to have been able to contribute to the adoption of this resolution through a long process that began in 1952 with the proposal by Uruguay, and continued in 1965 with that made by Costa Rica. That process came to fruition this year, 1993, through the assistance and support of many delegations. This marks an important milestone in the realization of one of the major priorities of the United Nations and, at the same time, a legitimate concern of the international community.

It is clear that the positive results achieved at the Vienna Conference are a recognition of the growing commitment to human rights throughout the world. For this reason, my delegation is very much aware that this joint effort, which brought all of us together in a spirit of cooperation and political will, was a recognition and acceptance of the recommendations of the Vienna Declaration and Programme of Action, which were also adopted by consensus by the participants in that important event.

My delegation pays tribute to the Chairman of the Working Group of the Third Committee, Ambassador José Ayala Lasso of Ecuador, for his effective and firm guidance of the deliberations of the Group, his diplomatic tact, his understanding and his great effort to bring together, in one working document, opposing positions, which is what allowed us to succeed in carrying out the mandate of the Third Committee. Similarly, we recognize the valuable collaboration of Ambassador Gilberto Saboya of Brazil and Ambassador Chew Tai Soo of Singapore, who, with wisdom and dedication, facilitated continuity in the work of the Group when its Chairman was temporarily absent.

It is also right to recognize, as many other speakers have done, the Chairman of the Third Committee, Ambassador Eduard Kukan of Slovakia, for his great patience, understanding and wisdom in capturing the timely moment when it was necessary to establish the open-ended Working Group of the Third Committee. That was a decisive step in this process of joint action, consensus and collective efforts by all delegations.

My delegation stresses that, both in the Vienna Declaration and in the Programme of Action, there were recommendations on topics considered and adopted by consensus in the Third Committee and during this session, now, in the Assembly. I mention here in particular the human rights education decade; we are pleased to note paragraph 4 (e) of the mandate of the High Commissioner. We are convinced in this respect that the High Commissioner will make great efforts towards this laudable goal.

It is clear that to reach this agreement, especially on the mandate of the High Commissioner, it was not possible to include all the elements we had wanted to in order that his work could be as effective as possible - neither politicized nor selective - and carried out always in consultation with the Secretary-General. All of us are fully aware that though each Member State is bound by the values and principles of the Universal Declaration of Human Rights and all the instruments adopted to that end, it does not mean that human rights are universally observed and protected.

We also recognize that at each annual session of the General Assembly and of the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities, we receive ample evidence demonstrating what a long road we yet have to travel before human rights are truly observed and protected throughout the world. We therefore consider it of great importance that the High Commissioner establish a dialogue with every Government in carrying out his mandate, with a view to achieving respect for all human rights, and as the representative of Indonesia said, that he be able to establish full cooperation with all Member States of the United Nations and rely upon it.

We emphasize the importance of the High Commissioner's functions in coordinating activities for the promotion and the protection of human rights throughout the United Nations system and the need to rationalize, adapt, strengthen and simplify the United Nations machinery in the sphere of human rights, with a view to increasing its efficiency and effectiveness. This will undoubtedly contribute to improving the image of the United Nations in the area of human rights, including the right to development.

In order to achieve all that we are proposing, it is essential to nominate an ideal person, especially in this first instance, for the success of the conduct of the High Commissioner and the credibility of the United Nations with respect to its aims and purposes on behalf of all human beings throughout the world.

Mr. JARAMILLO (Colombia) *(interpretation from Spanish):* I fully endorse what the Ambassador of Indonesia so rightly said on behalf of the Non-Aligned Movement. We are pleased by today's adoption of the resolution establishing the post of High Commissioner for the promotion and protection of all human rights. The resolution is the result of a broad consensus achieved thanks to the political will of all countries participating in the work of the Working Group of the Third Committee, and especially thanks to the excellent work of the Chairman of the Group, Ambassador Ayala Lasso of Ecuador.

Approving the establishment of the post of High Commissioner by consensus was one of the basic conditions for the success of the future activities of the High Commissioner. We are all very much aware of that, which is why when the World Conference in Vienna had ended we carefully analysed the conclusions and recommendations of the Declaration and the Programme of Action.

In this context, we deemed it necessary, from the beginning of this session of the General Assembly, to establish a working group to study and make recommendations on these issues. The time before the establishment of the Working Group was not wasted; it was used to move forward in informal consultations between various regional groups and to understand the usefulness of creating, among other things, the post of High Commissioner for Human Rights.

The establishment of the Group was auspicious and timely. In addition to dispelling doubts as to procedures in the Third Committee, it made possible the discovery of the skill, poise, firmness and, above all, experience of our colleague Ambassador Ayala Lasso. I should like to pay him a public tribute for his leadership and to express our pride that he is from a neighbouring country in the Latin American region. The way in which he led the deliberations is a guarantee that the post we create today will meet the expectations of all countries, thus dissipating any fear or doubt about the mandate of the High Commissioner.

We hope that Ambassador Ayala Lasso will continue to participate with the same enthusiasm in human rights activities within the framework of the United Nations. It has emerged most clearly from this process that Ambassador Ayala Lasso's competence, knowledge and aptitude in the sphere of human rights show him to be without a doubt one of the people most suited to the task at hand.

Finally, we should like to give our support to the establishment of the post of High Commissioner as soon as possible, because today we know that he will be working within the structure of the United Nations and under the authority of the Secretary-General, bearing in mind the guidelines of the three intergovernmental bodies dealing with these matters.

His clearly established mandate is to promote and protect the effective enjoyment of all human rights by all citizens of the world. He will have to organize and coordinate the activities within the United Nations system in this area, and he will have to promote the right to development as one of the central goals of his activities.

Colombia urges the Working Group to continue working on the tasks assigned to it with the same dynamism and seriousness it showed in the first stage. It is also important to implement the recommendations of the

Vienna Declaration and Programme of Action, and my delegation therefore will continue to work actively and constructively during this second stage of the process.

Mr. CHEN *Jian* (China) (*interpretation from Chinese*): The draft resolution on the establishment of the United Nations High Commissioner for Human Rights submitted to the General Assembly today by the Third Committee is the result of arduous consultations and the concerted endeavours of many countries in the Third Committee. Here, I would like to express my thanks and admiration to Ambassador Ayala Lasso of Ecuador, Chairman of the Working Group of the Third Committee, for his excellent work. His courage, fairness, political sensitivity and vast diplomatic experience have steered our work to success. I also wish to express my appreciation to Ambassador Eduard Kukan of Slovakia, Chairman of the Third Committee, and to Ambassador Saboya of Brazil and Ambassador Chew of Singapore for their contributions.

We highly value the positive and constructive role played by the Non-Aligned Movement in the production of this draft resolution. It was their recommendation of setting up a Working Group and the document they promptly submitted that enabled various parties to carry out useful dialogues on an equal footing and to achieve a balanced outcome acceptable to all. For this reason, I wish to extend my sincere congratulations and heartfelt respects to Indonesia, Chairman of the Non-Aligned Movement, and Malaysia, Chairman of the Human Rights Working Group of the Non-Aligned Movement. We support the principled position stated just now by the Indonesian Ambassador on behalf of the Non-Aligned Movement.

The Chinese Government always respects the promotion and protection of human rights as one of the aims embodied in the United Nations Charter, and supports all practical recommendations that serve this purpose. Based on this principled position of the Chinese Government, the Chinese delegation has actively and earnestly participated in the consultations on this draft resolution and has made its own contributions towards the achievement of the consensus.

The establishment of the High Commissioner, as an important step in implementing the Vienna Declaration and Programme of Action, has an immediate bearing on the interests of various countries. Meanwhile, the question of human rights is also an issue that has yet to be completely freed from various abnormalities left over from the cold war. In recent years in particular, the question of human rights has frequently been used to make selective accusations and political attacks against some countries, to interfere in the internal affairs of other countries and to infringe upon State sovereignty in the pursuit of power politics, thus producing damaging effects on international cooperation in the field of human rights.

In view of the above, the Chinese delegation has, from the very beginning, maintained that the High Commissioner must be established on the basis of a high degree of transparency and democracy and through full and democratic consultations, and that the decision must be made by consensus. We felt that, although this might take more time, it would help deepen mutual understanding, remove suspicion and mistrust and, moreover, take into full account the concerns and interests of various parties so that the new High Commissioner would be recognized by all parties and receive extensive support and cooperation in his or her work. We are glad to note that this position has finally been understood and appreciated by various parties.

Consensus has not been reached easily. We hope that in the appointment and the work of the High Commissioner this consensus will be highly valued and strictly respected. We attach particular importance to the following aspects of this consensus:

Efforts should be made to realize the purposes and principles of the United Nations Charter and it should be stressed that all human rights are universal, indivisible, interdependent and interrelated and that as such they should be given the same emphasis. It should also be stressed that the promotion and protection of human rights must be based on the principle of fairness, objectivity and non-selectivity and carried out in the spirit of constructiveness, international dialogue and cooperation.

The High Commissioner, in carrying out his or her mandates, should act in accordance with the provisions of the draft resolution, respect the sovereignty, territorial integrity and domestic jurisdiction of States, give consideration to the particularities of different countries and regions as well as the significance of various historical, cultural and religious backgrounds and provide services and assistance at the request of the countries concerned. It is the duty of States to promote and protect all human rights and fundamental freedoms.

The High Commissioner should in particular make earnest efforts to promote the balanced and sustainable development of all peoples, and to ensure the realization of the right to development, because this is the urgent issue confronting most United Nations Members and it should be given priority in the field of human rights.

In addition, the High Commissioner should report annually on his or her activities.

In our view, only by strictly observing the above-mentioned important principles and provisions can the High Commissioner carry out his or her work in a smooth manner and receive support and cooperation from the Member States.

We expect also that the High Commissioner will work under the direction and authority of the United Nations Secretary-General, within the framework of the overall competence, authority and decisious of the General Assembly, the Economic and Social Council and the Commission on Human Rights, so as to fulfil correctly the obligations entrusted to him or her by this draft resolution.

We also wish to point out that this draft resolution has failed to attach sufficient importance to some issues of concern to the third world countries. It fails, as well, to point out explicitly the existing serious obstacles to international cooperation for the universal realization of human rights.

In the past two months or more, the Third Committee, in its consideration of this question, witnessed various differences and experienced many difficulties and even some episodes of potential confrontation. During the whole process, the representatives of the Non-Aligned Movement and the Chinese delegation always stood for reaching consensus through the Working Group and democratic consultations, and resisted various attempts at interference. We are glad to see that this constructive attitude has led to positive results. We hope that helpful lessons will be drawn from this process.

It shows, at least in our view, that in this large United Nations forum of 184 countries consultations must be conducted on the basis of respect for democracy, sovereignty and equality, allowing for full expression of various opinions and seeking common ground while preserving differences. This is the only correct approach for resolving differences and enhancing international cooperation.

The world is diversified, and cooperation can be strengthened only by respecting that diversity. The aforementioned principles should be observed by the High Commissioner when performing his or her mandate and should be followed by the United Nations as well in its consideration of other major and sensitive issues involving the interests of various countries. Only by so doing can the United Nations genuinely become a democratic institution in which all countries, large and small, can jointly participate in decision-making on an equal footing.

Mr. JALLOW (Gambia): Today we have fulfilled one of the important recommendations of the World Conference on Human Rights. Indeed, the establishment of the office of High Commissioner for Human Rights is an important milestone in our efforts to achieve the universal promotion and protection of human rights.

The adoption of the resolution for the establishment of the office of High Commissioner for Human Rights demonstrates once more the international community's commitment to the strengthening of the United Nations human-rights machinery and the universal enjoyment of all human rights.

Lastly, it is the view of my delegation that the resolution would not have been adopted by consensus had it not been for the leadership and forbearance of Ambassador Eduard Kukan of the Slovak Republic, Chairman of the Third Committee, and the wisdom, patience and understanding of Ambassador Ayala Lasso, Chairman of the Working Group - and, of course, the constructive manner in which delegations deliberated on the matter.

My delegation hopes that the international community will continue to give to the United Nations and the High Commissioner the same support and advice - and guidance - that characterized the deliberations of the Third Committee and the Working Group.

The PRESIDENT: If I might be allowed, I wish to join in the well-deserved tribute that has been paid today to the Chairman of the Third Committee, Ambassador Kukan of the Slovak Republic, and very particularly to Ambassador José Ayala Lasso of Ecuador for the excellent work done in the Working Group over which he presided to forge a consensus decision on this very important issue. My commendation extends, of course, to all those who cooperated with him to make agreement possible, notably Ambassador Chew Tai Soo of Singapore and Ambassador Saboya of Brazil.

We have thus concluded this stage of our consideration of sub-item (b) of agenda item 114.

The Assembly will now consider part IV of the report (A/48/632/Add.3) of the Third Committee on sub-item (c) of agenda item 114, "Human rights situations and reports of special rapporteurs and representatives".

The representative of the United Arab Emirates has asked to make a statement, and I now call upon him.

Mr. AL-KINDI (United Arab Emirates) *(interpretation from Arabic):* I should like to make a clarification. My delegation did not participate in the voting on the draft resolution on the human rights situation in the Sudan when it was put to the vote in the Third Committee. Notwithstanding, the name of the United Arab Emirates appears in the Arabic-language version of document A/48/632/Add.3 as one of the countries that voted in favour of the draft resolution with regard to agenda item 114 (c). Such was not the case. The error does not occur in the English-language version of the document.

In the Third Committee we more than once had occasion to draw attention to mistakes made by members of the Arabic Section in the Secretariat, and for that reason I should like once again to draw the Secretariat's attention to the need to avoid such mistakes in the future. I hope that the Secretariat will reissue the document to which I have referred, duly corrected.

The PRESIDENT: I shall request the Secretariat to rectify the error the representative of the United Arab Emirates has drawn to our attention.

Mr. REMIREZ de ESTENOZ (Cuba) *(interpretation from Spanish)*: The General Assembly is this morning concluding an exercise that, aside from being selective and discriminatory, constitutes one of the most blatant injustices in the recent history of the United Nations and an inexcusable concession to the use of force by a major Power against a small country.

The resolution submitted by the United States against Cuba is a dark page in the annals of the Organization and damages its prestige and credibility. In terms both of its content and of the procedures used to reach this point, the resolution will go down in history as an example of the way in which, under present circumstances, a major Power can impose its might on justice, reason and truth.

We do not deem it necessary to recall how this process was conceived and carried out. All delegations here present, including those that lent themselves to this manoeuvre, know that the so-called situation of human rights in Cuba was, in all historical truth, fabricated by the Government of the United States, which imposed in Geneva the application against Cuba of a special mechanism to monitor human rights as part and parcel of the United States policy of aggression and destabilization against my country. In the case of Cuba, such a mechanism was vitiated from the very beginning because it involved a flagrant violation of existing procedures.

We are faced with an illegally conceived, artificial scenario, and it is thus legally and morally null and void in all its aspects so far as Cuba is concerned.

The facts speak for themselves. The report of the spurious Special Rapporteur and his presentation clearly demonstrated the injustice of applying such a discriminatory and selective mechanism against Cuba. The so-called Special Rapporteur, having been unable to demonstrate something that does not exist, had no option other than to use the argument - an unacceptable argument - of questioning the political, constitutional and legal system that the Cuban people themselves selected in all freedom and sovereignty. Indeed, in his report and his presentation he was not even able to justify his own existence.

The Government of the United States, promoter of the farce that led to this situation, has no moral or political authority whatsoever to stand as judge and jury of human rights in Cuba, as it has not only been a consummate violator of those rights in its own territory and supported all military dictatorships and repressive regimes that have existed since the end of the Second World War, but also - and most particularly in its policies and by maintaining an inhuman and criminal blockade against my country - it is massively, flagrantly and systematically violating the human rights of more than 11 million Cubans, including two million children.

Such a double standard cannot but provoke the most resolute rejection of those who are not ready to tolerate the United Nations and its system increasingly being used as an instrument of those who, shielded by their power and resorting to the most gross exercise of pressure, intend to use this Organization to further their own foreign policy objectives.

Cuba, whose people has struggled for more than a century to preserve its independence and dignity as a nation, resolutely rejects this draft resolution and any other attempt to impose upon us unjust and discriminatory treatment.

Above and beyond anything decided here today, Cuba is resolutely determined to defend its national sovereignty, its dignity and successes it has achieved in providing a better life for its people. I can assert before this Assembly that Cuba is proud of its achievements in the defence of true human rights. Its cooperation and active participation in this field spring from the profoundly human roots of all its actions. In reaffirming our commitment to the true inalienable rights of mankind, I would also like to reaffirm our view that the struggle against the hegemony of a major Power in this Organization and the imposition of its will is part and parcel of the defence of those inalienable rights. Thus, we totally oppose the shameful draft resolution which will be voted on today in this Hall, and we call on all delegations not to support such a farce.

Mr. ACHARYA (Nepal): The General Assembly is today taking action on the reports of the Third Committee relating to human rights issues. An outstanding achievement of the Third Committee at the current session has been the unanimous recommendation for the creation of the post of High Commissioner for Human Rights. This important achievement is clearly a reflection of the global consensus on the philosophy of human rights and on the Programme of Action to promote all human rights achieved at the Vienna World Conference on Human Rights.

My delegation is happy that the world has finally reached the stage at which no Government can insulate itself against the repercussions arising from serious violations of human rights and fundamental freedoms. Taking joint or separate action to protect and promote human rights has become an established norm of international life. The international community needs to be even-handed and objective in further strengthening the spirit of constructive dialogue and cooperation in this area.

As the Prime Minister of Nepal Mr. Girija Prasad Koirala stated in his address to the General Assembly at its current session, human rights cannot be secure without a universal conscience on the part of all peoples to uphold each other's rights in full understanding of the just demands of the individual, the community, the State and the international order. Adherence to objectivity and non-selectivity will have immense influence on the ability of the High Commissioner for Human Rights - who is to be appointed shortly - to carry out his mandate successfully.

With these considerations in mind, my delegation hopes that the General Assembly at its next session will examine more closely the option of avoiding country-specific human rights resolutions unless there is an international consensus for such action.

Mr. MARRERO (United States of America): The United States would like to direct the attention of the General Assembly to the interim report prepared by Professor Reynaldo Galindo Pohl, Special Representative of the Commission on Human Rights on the situation of human rights in Iran. In the report, Professor Galindo Pohl noted that two Iranian Baha'is, Bakshu'llah Mithaqui and Kayvan Khalajabadi, who have been held without charge since April 1989, were informed on 31 August 1992 that an Islamic revolutionary court in Karaj had condemned them to death. The Special Representative also reported that these sentences were being appealed. We were informed on 17 December 1993 that these death sentences were reaffirmed by another court on 23 November 1993. The sentences are reportedly being appealed to the Iranian Supreme Court. We have also learned that a third Baha'i, Ramadan-Ali Dhulfaqari, was recently condemned to death in Rafsanjan for apostasy.

It is clear from these and other cases that the regime in Tehran continues to flout the human rights of its own citizens, unrelentingly persecuting some simply because of their religious beliefs. The United States intends to vote in favour of the draft resolution introduced here on the subject of the human rights situation in Iran. We urge all nations who oppose racism, intolerance and the deliberate abuse of human rights to do the same.

The PRESIDENT: I call on the representative of Oman, on a point of order.

Mr. AL-TAEE (Oman) *(interpretation from Arabic)*: I should like to draw the Secretariat's attention to the fact that my country's delegation did not participate in the vote on draft resolution A/48/L.65 in the Third Committee. Any indication to the contrary should be corrected as appropriate.

The PRESIDENT: The Assembly has before it 13 draft resolutions recommended by the Third Committee in paragraph 67 of Part IV of its report (document A/48/632/Add.3).

I shall put the 13 draft resolutions to the Assembly one by one. After all the decisions have been taken, representatives will again have the opportunity to explain their vote.

We turn first to draft resolution I, entitled "Situation of human rights in Cuba".

A recorded vote has been requested.

A recorded vote was taken.

In favour: Albania, Argentina, Armenia, Australia, Austria, Bangladesh, Belgium, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Gambia, Georgia, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kuwait, Latvia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malta, Marshall Islands, Mauritius, Micronesia (Federated States of), Monaco, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Panama, Papua New Guinea, Paraguay, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Saudi Arabia, Singapore, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, United

Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Zaire

Against: China, Cuba, Democratic People's Republic of Korea, Ghana, India, Indonesia, Iran (Islamic Republic of), Iraq, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Malaysia, Myanmar, Namibia, Sudan, Syrian Arab Republic, Uganda, United Republic of Tanzania, Viet Nam, Zambia, Zimbabwe

Abstaining: Afghanistan, Algeria, Antigua and Barbuda, Azerbaijan, Bahamas, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, Colombia, Comoros, Congo, Côte d'Ivoire, Egypt, Eritrea, Ethiopia, Gabon, Grenada, Guinea, Guinea-Bissau, Guyana, Jamaica, Kazakhstan, Kenya, Kyrgyzstan, Lesotho, Maldives, Mali, Mauritania, Mexico, Mozambique, Niger, Nigeria, Pakistan, Peru, Philippines, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Sierra Leone, Sri Lanka, Suriname, Swaziland, Thailand, Togo, Trinidad and Tobago, Tunisia, Ukraine, Venezuela

Draft resolution I was adopted by 74 votes to 20, with 61 abstentions (resolution 48/142).

The PRESIDENT: Draft resolution II is entitled "Rape and abuse of women in the areas of armed conflict in the former Yugoslavia". The Third Committee adopted this draft resolution without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution II was adopted (resolution 48/143).

The PRESIDENT: I call on the representative of Kuwait on a point of order.

Mr. AL SAEID (Kuwait) *(interpretation from Arabic)*: I should like to draw attention to the fact that, at the Third Committee's 52nd meeting, my delegation joined in sponsoring the draft resolution which in the Committee appeared in document A/C.3/48/L.51, and which has just been adopted by the Assembly as draft resolution II.

The PRESIDENT: I shall ask the Secretariat to take note of the remarks of the representative of Kuwait and to take the necessary action.

Draft resolution III is entitled "Situation of human rights in Iraq". A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Canada, Cape Verde, Chile, Colombia, Comoros, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Kuwait, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malawi, Maldives, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, Solomon Islands, Spain, Suriname, Swaziland, Sweden, Syrian Arab Republic, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Zaire, Zambia

Against: Iraq, Sudan

Abstaining: Algeria, Angola, Bangladesh, Brunei Darussalam, Burundi, Cambodia, Cameroon, Central African Republic, Chad, China, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Eritrea, Ethiopia, Fiji, Gabon, Guinea-Bissau, India, Indonesia, Kenya, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Malaysia, Mali, Mauritania, Morocco, Mozambique, Namibia, Nigeria, Pakistan, Philippines, Sierra Leone, Sri Lanka, Thailand, Togo, Tunisia, Uganda, United Republic of Tanzania, Viet Nam, Zimbabwe

Draft resolution III was adopted by 116 votes to 2, with 43 abstentions (resolution 48/144).

The PRESIDENT: Draft resolution IV is entitled "Situation of human rights in the Islamic Republic of Iran". A recorded vote has been requested.

A recorded vote was taken.

In favour: Algeria, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Barbados, Belgium, Belize, Bolivia, Botswana, Brazil, Canada, Chile, Costa Rica, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Finland, France, Germany, Greece, Grenada, Guatemala, Guyana, Haiti, Honduras, Iceland, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Latvia, Liechtenstein, Luxembourg, Malawi, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Nicaragua, Norway, Panama, Papua New Guinea, Paraguay, Peru, Portugal, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Slovenia, Solomon Islands, Spain, Suriname, Swaziland, Sweden, Trinidad and Tobago, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Zaire, Zambia

Against: Afghanistan, Armenia, Azerbaijan, Bangladesh, Brunei Darussalam, China, Cuba, Democratic People's Republic of Korea, Guinea-Bissau, India, Indonesia, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Malaysia, Myanmar, Oman, Pakistan, Qatar, Sri Lanka, Sudan, Syrian Arab Republic, Turkmenistan, Viet Nam

Abstaining: Albania, Angola, Belarus, Benin, Bhutan, Bulgaria, Burkina Faso, Burundi, Cameroon, Central African Republic, Chad, Colombia, Comoros, Congo, Côte d'Ivoire, Cyprus, Eritrea, Ethiopia, Fiji, Gabon, Georgia, Ghana, Guinea, Kazakhstan, Kenya, Lao People's Democratic Republic, Lesotho, Maldives, Mali, Mauritania, Mozambique, Namibia, Nepal, Niger, Nigeria, Philippines, Poland, Republic of Korea, Saudi Arabia, Sierra Leone, Singapore, Slovakia, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Uganda, Ukraine, United Republic of Tanzania, Uruguay, Zimbabwe

Draft resolution IV was adopted by 74 votes to 23, with 51 abstentions (resolution 48/145).*

The PRESIDENT: Draft resolution V is entitled "Situation of human rights in Somalia". The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution V was adopted (resolution 48/146).

The PRESIDENT: We turn now to draft resolution VI, entitled "Situation of human rights in the Sudan". A recorded vote has been requested.

A recorded vote was taken.

In favour: Albania, Algeria, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Botswana, Brazil, Bulgaria, Canada, Cape Verde, Chile, Colombia, Congo, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakhstan, Kuwait, Kyrgyzstan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Singapore, Slovakia, Slovenia, Solomon Islands, Spain, Suriname, Sweden, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Zaire, Zambia, Zimbabwe

Against: Afghanistan, China, Cuba, India, Indonesia, Iran (Islamic Republic of), Iraq, Libyan Arab Jamahiriya, Myanmar, Pakistan, Sudan, Syrian Arab Republic, Viet Nam

Abstaining: Angola, Bangladesh, Bhutan, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Central African Republic, Comoros, Côte d'Ivoire, Eritrea, Guinea, Jamaica, Kenya, Lao People's Democratic Republic, Malaysia, Maldives, Mali, Mauritania, Mozambique, Niger, Nigeria, Philippines, Sierra Leone, Sri Lanka, Swaziland, Thailand, Togo, Tunisia, Uganda

Draft resolution VI was adopted by 111 votes to 13, with 30 abstentions (resolution 48/147).*

The PRESIDENT: We now turn to draft resolution VII, entitled "International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families".

As was indicated by the Rapporteur of the Third Committee this morning, this draft resolution belongs to sub-item (a) of agenda item 114 - "Implementation of human rights instruments". The draft resolution should therefore have appeared as a recommendation of the Third Committee in its report (A/48/632/Add.1) on sub-item (a) of agenda item 114. This change will be reflected in the official records of the Assembly.

The Third Committee adopted draft resolution VII without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution VII was adopted (resolution 48/148).

The PRESIDENT: Draft resolution VIII is entitled "Situation of human rights in El Salvador". The Third Committee adopted this draft resolution without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution VIII was adopted (resolution 48/149).

The PRESIDENT: Draft resolution IX is entitled "Situation of human rights in Myanmar". The Third Committee adopted it without a vote. May I take that the Assembly wishes to do likewise?

Draft resolution IX was adopted (resolution 48/150).

The PRESIDENT: Draft resolution X is entitled "Human rights in Haiti". The Third Committee adopted this draft resolution without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution X was adopted (resolution 48/151).

The PRESIDENT: Draft resolution XI is entitled "Situation of human rights in Afghanistan". The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution XI was adopted (resolution 48/152).

The PRESIDENT: Draft resolution XII is entitled "Situation of human rights in the territory of the former Yugoslavia: violations of human rights in the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro). The report of the Fifth Committee on the programme budget implications of the draft resolution is contained in document A/48/797.

The Third Committee adopted draft resolution XII without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution XII was adopted (resolution 48/153).

The PRESIDENT: Draft resolution XIII is entitled "Situation of human rights in Cambodia". The Third Committee adopted it without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution XIII was adopted (resolution 48/154).

The PRESIDENT: I shall now call on those representatives who wish to speak in explanation of vote after the voting.

Mr. NIETO (Argentina) *(interpretation from Spanish):* The delegation of Argentina voted in favour of draft resolution I, which is contained in document A/48/632/Add.3 and is entitled "Situation of human rights in Cuba", for a reason of principle.

The Argentine Republic cannot accept the decision of a State Member of the Organization and member of the Commission on Human Rights to deny the Special Rapporteur entry to its territory. We say this irrespective of the fact that the human-rights situation in Cuba is essentially the same as it was last year, when resolution 47/139 was adopted, and without prejudice to the concurrence of our two delegations' views during this session of the General Assembly on certain aspects of the issue of human rights.

Finally, my delegation would like to appeal cordially to the Government of Cuba to facilitate the work of the Special Rapporteur, with the understanding that this will contribute to the achievement of the full enjoyment of human rights in Latin America and to the strengthening of democracy at the regional level in a framework of cooperation, friendship and mutual respect between all the States of the American continent.

Mr. JAAFARI (Syrian Arab Republic) *(interpretation from Arabic):* My delegation voted in favour of the draft resolution in document A/48/L.57, on human rights in Iraq, as we did last year.

We note with concern, however, that the draft resolution submitted this year once again deals with questions of human rights in Iraq selectively, on an ethnic and sectarian basis. This could affect the unity and territorial integrity of Iraq.

There is an even more difficult problem in the resolution we have just adopted - namely, that it endorses the setting up of an institutional system to monitor human rights inside a Member State through the deployment of a group of human-rights monitors in Iraq. This constitutes interference in the internal affairs of a Member State and establishes a precedent in the history of the United Nations that runs counter to the purposes and principles of the Charter. I hope my statement will be reflected in the record of the meeting.

Mr. PARSHIKOV (Russian Federation) *(interpretation from Russian):* My delegation would like to explain its vote on the resolution regarding the situation of human rights in the territory of the former Yugoslavia.

The Russian delegation has had many other opportunities to set forth its overall approach to the human-rights aspects of the Yugoslav tragedy. Quite naturally, our attitude towards the resolution just adopted by the General Assembly is determined by Russia's overall position on Yugoslav affairs. We have always believed that a vicious, large-scale war such as the one in the former Yugoslavia cannot be seen just in black and white, that there are not simply devils and angels.

In the Commission on Human Rights, in the Security Council and in the General Assembly, Russia has consistently defended the principle of an objective, dispassionate and just approach to assessing the degree of guilt of each party to the conflict. Russia unambiguously and unequivocally condemns violations of human rights and humanitarian standards by anyone in the former Yugoslavia. From the very outset, we have firmly supported the idea of establishing a fact-finding war-crimes commission and an international tribunal to examine these issues. Russia has no intention of shielding anyone or suppressing information on unseemly actions by one side. But it seems to us short-sighted to attempt to whip up hysteria around the situation in the former Yugoslavia by just taking prejudiced and single-minded approaches to the problem. We feel that it is wrong when the anger of world public opinion is directed against only one side, while others are forgiven their sins, thus giving them a sense of having got away with something. This is especially unacceptable to us when all the burden of guilt for what is going on in the former Yugoslavia is being placed upon an entire people, when hatred towards the Serbian people is being incited in order to make them an international pariah. That is a short-sighted and dangerous position, responsibility for which is shared by some of the mass media and certain actors on the political scene.

Is it logical and objective for the Assembly, under paragraph 4 of the resolution, to place the primary responsibility for violations of human rights in the territory of the former Yugoslavia on the Bosnian and Croatian Serbs and on the Government of the Federal Republic of Yugoslavia? The resolution is also out of line in the paragraphs regarding the situation in Kosovo, which is an integral part of a sovereign State with territorial integrity. The wording on Kosovo could well, in our view, inflame national separatist extremism in that part of the Balkans even before the international community has been able to settle the situation in Bosnia and Herzegovina.

The Russian delegation decided not to break the consensus on this resolution. That does not, however, mean that we agree with specific provisions in it. Therefore, if there had been a vote, the Russian delegation could not have supported, in particular, the second preambular paragraph and operative paragraphs 4, 18 and 19.

Mr. IM (Democratic People's Republic of Korea): My delegation wishes to draw the Assembly's attention to paragraph 29 of document A/48/632/Add.3, which describes the Republic of Korea as a co-sponsor of draft resolution A/48/L.65 and Rev.1.

This is incorrect information, and my delegation requests that my country's name be deleted from that paragraph.

The PRESIDENT: I thank the representative of the Democratic People's Republic of Korea. The point will be noted by the Secretariat.

May I take it that the General Assembly decides to conclude its consideration of agenda item 114 (a) and to conclude this stage of its consideration of agenda item 114 (c)?

It was so decided.

The PRESIDENT: The Assembly will now consider the report of the Third Committee on agenda item 115, entitled "Situation of human rights in Estonia and Latvia" (document A/48/633).

The Assembly will now take a decision on the draft resolution recommended by the Third Committee in paragraph 14 of that report. The draft resolution was adopted by the Third Committee. May I consider that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 48/155).

The PRESIDENT: I now call on the representative of Lithuania for an explanation of Lithuania's position on the resolution just adopted.

Ms. DAMUSIS (Lithuania): Lithuania joined the consensus to adopt this General Assembly resolution though we believe it does not adequately reflect the current situation in Estonia and Latvia - the relative political stability, a tradition of multi-cultural tolerance and the absence of violence.

The United Nations fact-finding missions to these two countries confirmed that there are "no gross or systematic violations of human rights in Latvia" and "no evidence of discrimination along ethnic or religious lines in Estonia".

My delegation also feels that the resolution did not go far enough in noting the spirit of openness and cooperation surrounding the United Nations and other fact-finding missions to Estonia and Latvia. We believe that the resolution should have welcomed positive developments in Estonia and Latvia as well as the steps taken by both Governments to implement recommendations by international experts.

Lithuania very much regrets that the resolution does not consider the consequences of Soviet deportation, colonization and rectification policies, which dramatically altered the demographics of all three Baltic States. These historical circumstances need not be brushed aside as irrelevant or outdated; they should be recognized as contributing factors to the feelings of insecurity among small States which find themselves in the shadow of bigger States that are troubled by political instability and aggressive nationalism.

We thus feel strongly that it is crucial to discourage the linkage of strategic interests in neighbouring States with human rights issues. Respect for human rights and observance of the principles of international law must remain, in Lithuania's view, the building-blocks of stability and democratic security in the world.

The PRESIDENT: May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 115?

It was so decided

The PRESIDENT: The Assembly will now consider the report (A/48/634) of the Third Committee on agenda item 172, entitled "Necessity of adopting effective measures for the promotion and protection of the rights of children throughout the world who are victims of especially difficult circumstances, including armed conflicts".

The Assembly will now take a decision on the two draft resolutions recommended by the Third Committee in paragraph 15 of its report.

Draft resolution I is entitled "Need to adopt efficient international measures for the prevention of the sale of children, child prostitution and child pornography". The Third Committee adopted draft resolution I without a vote. May I consider that the Assembly wishes to do the same?

Draft resolution I was adopted (resolution 48/156).

The PRESIDENT: Draft resolution II is entitled "Protection of children affected by armed conflicts". The report of the Fifth Committee on the programme budget implications of the draft resolution is contained in document A/48/798. Draft resolution II was adopted by the Third Committee. May I take it that the Assembly wishes to do likewise?

Draft resolution II was adopted (resolution 48/157).

The PRESIDENT: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 172?

It was so decided.

The PRESIDENT: The Assembly will now consider the report (A/48/624) of the Third Committee on agenda item 12, entitled "Report of the Economic and Social Council".

The Assembly will now take a decision on the four draft decisions recommended by the Third Committee in paragraph 11 of its report.

We turn first to draft decision I entitled "Organization of work of the Third Committee and draft biennial programme of work of the Committee for 1994-1995".

May I take it that the Assembly would like to adopt draft decision I, as orally revised, subject of course to a decision tomorrow afternoon on draft resolution XI contained in paragraph 88 of the report of the Third Committee on sub-item (b) of agenda item 114, contained in document A/48/632/Add.2?

Draft decision I was adopted.

The PRESIDENT: Draft decision II is entitled "Promotion of press freedom in the world". May I take it that the Assembly wishes to adopt draft decision II?

Draft decision II was adopted.

The PRESIDENT: Draft decision III is entitled "International Year of the Elderly". May I take it that the Assembly wishes to adopt draft decision III?

Draft decision III was adopted.

The PRESIDENT: Draft decision IV is entitled "Report of the Economic and Social Council". May I take it that the Assembly wishes to adopt draft decision IV?

Draft decision IV was adopted.

The PRESIDENT: May I take it that it is the wish of the General Assembly to conclude its consideration of the report of the Economic and Social Council allocated to the Third Committee?

It was so decided.

AGENDA ITEM 48

DECLARATION OF THE ASSEMBLY OF HEADS OF STATE AND GOVERNMENT OF THE ORGANIZATION OF AFRICAN UNITY ON THE AERIAL AND NAVAL MILITARY ATTACK AGAINST THE SOCIALIST PEOPLE'S LIBYAN ARAB JAMAHIRIYA BY THE PRESENT UNITED STATES ADMINISTRATION IN APRIL 1986

The PRESIDENT: Following consultations, it is my understanding that consideration of this item may be deferred to the forty-ninth session of the General Assembly. May I take it that it is the wish of the Assembly to defer consideration of the item and to include it in the provisional agenda of the forty-ninth session?

It was so decided.

The PRESIDENT: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 48?

It was so decided.

AGENDA ITEM 49

ARMED ISRAELI AGGRESSION AGAINST THE IRAQI NUCLEAR INSTALLATIONS AND ITS GRAVE CONSEQUENCES FOR THE ESTABLISHED INTERNATIONAL SYSTEM CONCERNING THE PEACEFUL USES OF NUCLEAR ENERGY, THE NON-PROLIFERATION OF NUCLEAR WEAPONS AND INTERNATIONAL PEACE AND SECURITY

The PRESIDENT: The Assembly decided on 24 September 1993 to include this item in the agenda of the forty-eighth session of the General Assembly. May I take it that it is the wish of the Assembly to defer consideration of this item to a later date during this session and to include it in the draft agenda of the forty-ninth session?

It was so decided.

AGENDA ITEM 50

LAUNCHING OF GLOBAL NEGOTIATIONS ON INTERNATIONAL ECONOMIC COOPERATION FOR DEVELOPMENT

The PRESIDENT: In connection with this item, representatives will recall that on 24 September 1993 the Assembly decided to include this item in the agenda of the forty-eighth session. May I take it that it is the Assembly's wish to defer consideration of this item and to include it in the provisional agenda of the forty-ninth session?

It was so decided.

The PRESIDENT: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 50?

It was so decided.

AGENDA ITEM 51

IMPLEMENTATION OF THE RESOLUTIONS OF THE UNITED NATIONS

The PRESIDENT: It is my understanding that there is no request to consider this agenda item at the present session. May I take it that it is the wish of the General Assembly to defer consideration of this item to the forty-ninth session and to include it in the provisional agenda of that session?

It was so decided.

The PRESIDENT: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 51?

It was so decided.

AGENDA ITEM 35 *(continued)*

QUESTION OF PALESTINE

(a) REPORT OF THE COMMITTEE ON THE EXERCISE OF THE INALIENABLE RIGHTS OF THE PALESTINIAN PEOPLE (A/48/35)

(b) REPORT OF THE SECRETARY-GENERAL (A/48/607)

(c) DRAFT RESOLUTIONS (A/48/L.41, A/48/L.42, A/48/L.43, A/48/L.44, A/48/L.45)

(d) REPORT OF THE FIFTH COMMITTEE (A/48/787)

The PRESIDENT: Members will recall that the General Assembly concluded its debate on this agenda item at its 66th meeting on 30 November.

I call on the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People to introduce draft resolutions A/48/L.41 to A/48/L.45.

Mr. CISSE (Senegal), Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian people *(interpretation from French):* At the outset, I should like to announce that the following countries have become co-sponsors of some of the draft resolutions: Comoros, India, Madagascar, Pakistan and Ukraine have become co-sponsors of draft resolutions A/48/L.41 and A/48/L.42; Comoros, India, Madagascar and Pakistan have become co-sponsors of draft resolution A/48/L.43; and Comoros, India and Pakistan have become co-sponsors of draft resolution A/48/L.44.

On behalf of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, I have the honour to introduce to the Assembly draft resolutions A/48/L.41, A/48/L.42, A/48/L.43, A/48/L.44 and A/48/L.45. These texts have been drafted in the light of recent developments in the peace process, which our Committee has welcomed and supported. They seek to contribute to the building of peace in the region while remaining firm on the fundamental principles laid down by the international community.

The first three draft resolutions, A/48/L.41, A/48/L.42 and A/48/L.43, give mandates to the Committee, the Division for Palestinian Rights and the Department of Public Information to undertake a programme of work in their fields of competence in keeping with the new requirements.

In draft resolution A/48/L.41, the Assembly welcomes the signing of the "Declaration of Principles on Interim Self-Government Arrangements" by the Government of Israel and the Palestine Liberation Organization on 13 September 1993, in Washington. The Assembly reaffirms the ongoing responsibility of the United Nations with respect to the question of Palestine until it is resolved in all its aspects in accordance with international legitimacy. The Assembly also considers that the Committee can make a valuable and positive contribution to international efforts to promote the effective implementation of the Declaration of Principles and to mobilize international support and assistance to the Palestinian people during the transitional period.

Further, the Assembly endorses the Committee's recommendations and requests the Committee to continue to keep under review the situation relating to the question of Palestine and to submit reports and make suggestions to the General Assembly or the Security Council, as appropriate. The Assembly also authorizes the Committee to continue to exert all efforts to promote the exercise of the inalienable rights of the Palestinian people and to mobilize the needed support and assistance for them. The Committee is also requested to continue to adjust its programme in light of developments and to report thereon to the General Assembly at its forty-ninth session and thereafter.

The Assembly also requests the Committee to continue to extend its cooperation to non-governmental organizations and to take the necessary steps to involve additional non-governmental organizations in its work.

In draft resolution A/48/L.42, which deals specifically with the work of the Division for Palestinian Rights of the Secretariat, the General Assembly requests the Secretary--General to provide the Division with the necessary resources and to ensure that it continues to discharge the tasks detailed in previous resolutions which have mandated the organization of regional seminars and meetings of non-governmental organizations and to launch a programme of research, studies and publications. The Assembly also invites continued cooperation with the Division by the Department of Public Information and other Secretariat Units, and invites all Governments and organizations to do likewise. It also requests the continued observance each year, on 29 November, of the International Day of Solidarity with the Palestinian People by organizing, *inter alia*, of an exhibit on Palestinian rights.

Concerning draft resolution A/48/L.43, I should like to inform the General Assembly that the sponsors have agreed to add, at the end of sub-paragraph (b) of operative paragraph 2, the following words: "including materials concerning the recent developments in that regard". By draft resolution A/48/L.43, which concerns the role of the Department of Public Information, the General Assembly requests the Department, acting in full cooperation and coordination with the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to continue, with the necessary flexibility as may be required by developments, its special information programme on the question of Palestine, with particular emphasis on public opinion in Europe and North America. In particular, the Assembly requests the Department to disseminate information on all the activities of the United Nations system relating to the question of Palestine; to continue to issue and update publications on the various aspects of the question of Palestine; to expand its audiovisual material on the subject; to organize and promote fact-finding news missions for journalists to the area, including the occupied territories; to organize international, regional and national encounters for journalists; and to provide assistance to the Palestinian people in the field of media development in cooperation with specialized United Nations agencies, particularly the United Nations Educational, Scientific and Cultural Organization.

Draft resolution A/48/L.44 is entitled "Peaceful Settlement of the question of Palestine". The sponsors would like to request that the word "reaffirms" in operative paragraph 5, line 2 be underscored. The General Assembly expresses its support for the ongoing peace process, which began in Madrid in 1991, and the Declaration of Principles on Interim Self-Government Arrangements, and expresses the hope that the process will lead to the establishment of a comprehensive, just and lasting peace in the region. It stresses the need for the United Nations to play a more active and expanded role in the current peace process and in the implementation of the Declaration of Principles, and urges Member States to provide economic and technical assistance to the Palestinian people.

The Assembly stresses the upcoming negotiations on the final settlement by reaffirming the following principles to be respected for the achievement of a final settlement and a comprehensive peace, namely, the realization of the legitimate national rights of the Palestinian people, primarily the right to self-determination; the withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and from the other occupied Arab territories; guaranteeing arrangements for peace and security of all States in the region, including those named in resolution 181 (II) of 29 November 1947, within secure and internationally recognized boundaries; resolving the problem of the Palestine refugees in conformity with General Assembly resolution 194 (III) of 11 December 1948, and subsequent relevant resolutions; resolving the problem of the Israeli settlements, which are illegal and an obstacle to peace, in conformity with relevant United Nations resolutions; and, finally, guaranteeing freedom of access to Holy Places, religious buildings and sites.

The draft resolution requests the Secretary-General to continue his efforts for the promotion of peace in the region and to submit progress reports on developments in this matter.

Concerning draft resolution in A/48/L.45, I should like to inform the General Assembly that the sponsors are not insisting that it be put to a vote.

The draft resolutions I have just introduced were formulated with a firm resolve to contribute to the peace process that is now under way, and to make real progress towards a comprehensive, just and lasting solution to the question of Palestine. A great number of delegations have been consulted in drawing up these texts, which voice the position of the overwhelming majority of the international community at this critical moment in the lengthy history of the question of Palestine. On behalf of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, I invite delegations to reaffirm their adherence to this objective and constructive approach by voting in favour of the proposed draft resolutions.

Mr. JACOB (Israel): Israel will vote against draft resolutions A/48/L.41, A/48/L.42, A/48/L.43 and A/48/L.44.

In the course of the current session of the General Assembly, we have repeatedly made the following observation: we believe that the criteria for adopting resolutions on Middle East issues in the General Assembly should not be the content, tone or language of previous resolutions; rather, the criteria should be the reflection of the positive developments in the peace process and our hopes for a better future for our region. Regrettably, the draft resolutions before us do not meet these criteria.

In draft resolution A/48/L.41 the Assembly would endorse and authorize the work of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, while in draft resolution A/48/L.42 it would support the work of the Division for Palestinian Rights. These two bodies are highly biased and needlessly expend a great deal of time, energy and money.

Under draft resolution A/48/L.43 the Assembly would request the Department of Public Information, among other things, to disseminate information on all the activities of the United Nations system relating to the question of Palestine.

The undertakings stipulated in these draft resolutions are a waste of money that could be put to much better use. For instance, these funds could be invested in the West Bank and the Gaza Strip for the benefit of the Palestinian residents living in those areas.

Draft resolution A/48/L.44, while no longer calling for the convening of an international peace conference on the Middle East, still contains the so-called principles for the achievement of a comprehensive peace. These principles prejudge and even predetermine the outcome of the ongoing negotiations. Thus, the draft resolution clearly contradicts itself. On the one hand, it claims to support the peace process that began in Madrid. On the other hand, it ignores the basic principle of direct negotiations without preconditions, upon which the Madrid process is based.

Israel has long advocated direct negotiations as the only framework for advancing peace in the Middle East, and recent achievements vindicate this approach. Any attempt to internationalize the issues or perpetuate the existence of bodies dedicated to internationalizing the issues will lead us nowhere. Let us remain committed to the process under way. Israel, for its part, will do everything necessary to bring this process to a successful conclusion.

Mr. ***SIDOROV*** (Russian Federation) *(interpretation from Russian):* Despite all the complexities of the peace process in the Middle East, a new qualitative step in its development has been taken, as has been reflected in the General Assembly's adoption of the resolutions on the Middle East peace process. It is clear that the General Assembly is called upon further to promote the necessary support for the Arab-Israeli negotiating process, in particular on its most complex and sensitive area: that concerning Palestine and Israel.

However, the Russian delegation notes with regret that the sponsors of the draft resolutions on the question of Palestine have not done everything necessary for their contents to be in step with the new political realities in the Middle East.

While draft resolution A/48/L.44, on the peaceful settlement of the question of Palestine, also contains a reference to the positive changes in the peace process in the Middle East, it retains the entire traditional array of principles for a Middle East settlement, which are an attempt to predetermine the discussion of these problems at the Arab-Israeli bilateral negotiations and could complicate the course of these negotiations.

As for draft resolutions A/48/L.41, A/48/L.42 and A/48/L.43, concerning the Committee on the Inalienable Rights of the Palestinian People, the Division for Palestinian Rights and the United Nations Secretariat's Department of Public Information, they in fact continue to guide the activity of these bodies towards the implementation of old objectives, not taking into account the new realities.

In the light of all of those considerations, the delegation of the Russian Federation, as a co-sponsor of the Middle East peace process, will abstain in the voting on the draft resolutions submitted under agenda item 35.

Mr. ***HANSON*** (United States of America): The draft resolutions we are voting upon today make up the last group in a large category of unbalanced and outdated Middle East resolutions. The parties in the region have moved beyond these resolutions, and the General Assembly should do so as well.

We had hoped that all of these draft resolutions would be deferred. Indeed, we are pleased that last year's resolution in this group concerning the *intifadah* has been deferred. We note that the traditional draft resolution on an international peace conference has been greatly modified. Yet none of these draft resolutions reflects the new reality that exists today in the Middle East.

Three of the draft resolutions before us concern institutions, activities and related costs that should be re-examined. My Government, for its part, does not have a predetermined position on how such a review should be conducted, nor on what its conclusions should be. I can say conclusively, however, that, with this autumn's breakthroughs in the Madrid process, the General Assembly should look again at its long-standing, traditional activities.

These draft resolutions entail the expenditure of resources, both human and financial. Some of those resources are probably being spent in a worthwhile way; others are not. Let us look more closely at how these resources can best be allocated towards the achievement of a just, lasting and comprehensive peace in the Middle East.

This year's draft resolution entitled "Peaceful settlement of the question of Palestine" is greatly improved over its predecessor texts that called for an international peace conference on the Middle East. This draft resolution, however, speaks conclusively to issues under direct negotiation between parties in the region. The General Assembly should support the process of those negotiations in order for all the parties to resolve their differences directly, without prejudging the outcome of the negotiations. At this important moment, we want to avoid focusing on issues or statements that divide and polarize.

The other draft resolutions introduced under this agenda item are largely unchanged from those submitted last year. My Government voted against those resolutions at that time and will do so again today. We note that two of these texts recognize the signing of the Declaration of Principles by the Government of Israel and the Palestine Liberation Organization. This breakthrough and the process that has followed from it confirm our view that these and other Middle East draft resolutions should have been deferred this year.

The PRESIDENT: The Assembly will now take a decision on draft resolutions A/48/L.41 to A/48/L.45. The report of the Fifth Committee on the programme budget implications of draft resolutions A/48/L.41, A/48/L.42 and A/48/L.43 is contained in document A/48/787.

We now turn to draft resolution A/48/L.41, entitled "Committee on the Exercise of the Inalienable Rights of the Palestinian People". A recorded vote has been requested.

A recorded vote was taken.

In favour: Algeria, Antigua and Barbuda, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cape Verde, Chad, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Gambia, Ghana, Greece, Guatemala, Guinea Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Qatar, Republic of Korea, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Dominican Republic, Israel, United States of America

Abstaining: Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Dominica, Estonia, Finland, France, Georgia, Germany, Hungary, Iceland, Ireland, Italy, Japan, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, Marshall Islands, Micronesia (Federated States of), Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Slovakia, Slovenia, Sweden, The Former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland

Draft resolution A/48/L.41 was adopted by 106 votes to 3, with 40 abstentions (resolution 48/158 A).

The PRESIDENT: We now turn to draft resolution A/48/L.42, entitled "Division for Palestinian Rights of the Secretariat".

A recorded vote has been requested.

A recorded vote was taken.

In favour: Algeria, Angola, Antigua and Barbuda, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cape Verde, Chad, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Gambia, Ghana, Greece, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Qatar, Republic of Korea, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, United States of America

Abstaining: Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Dominica, Dominican Republic, Estonia, Finland, France, Georgia, Germany, Hungary, Iceland, Ireland, Italy, Japan, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, Marshall Islands, Micronesia (Federated States of), Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Slovakia, Slovenia, Sweden, The Former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland

Draft resolution A/48/L.42 was adopted by 107 votes to 2, with 41 abstentions (resolution 48/158 B).

The PRESIDENT: We now turn to draft resolution A/48/L.43, entitled "Department of Public Information of the Secretariat".

A recorded vote has been requested.

A recorded vote was taken.

In favour: Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chad, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Gambia, Germany, Ghana, Greece, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, United States of America

Abstaining: Georgia, Russian Federation

Draft resolution A/48/L.43 was adopted by 147 votes to 2, with 2 abstentions (resolution 48/158 C).

The PRESIDENT: We now turn to draft resolution A/48/L.44, entitled "Peaceful settlement of the question of Palestine".

A recorded vote has been requested.

A recorded vote was taken.

In favour: Algeria, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cape Verde, Chad, Chile, China, Colombia, Comoros, Costa Rica, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, El Salvador, Gambia, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Jamaica, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Dominican Republic, Israel, Marshall Islands, Micronesia (Federated States of), United States of America

Abstaining: Argentina, Armenia, Australia, Austria, Belarus, Belgium, Belize, Bulgaria, Canada, Côte d'Ivoire, Croatia, Czech Republic, Denmark, Dominica, Estonia, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Hungary, Iceland, Ireland, Italy, Japan, Kazakhstan, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, Netherlands, New Zealand, Norway, Panama, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Slovakia, Slovenia, Spain, Sweden, The Former Yugoslav Republic of Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay

Draft resolution A/48/L.44 as orally revised was adopted by 92 votes to 5, with 51 abstentions (resolution 48/158 D).

The PRESIDENT: With regard to draft resolution A/48/L.45, as was indicated earlier, the sponsors have agreed not to press that draft resolution to a vote.

I shall now call on those representatives who wish to explain their votes on the resolutions just adopted. May I remind them that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. NOTREDAEME (Belgium) *(interpretation from French):* I am speaking on behalf of the European Union. The Union has taken note of the important adoption of the resolutions submitted this year on the item "Question of Palestine", on which the General Assembly has just voted. We wish to make a few comments of a general nature on some of them.

The political context in which the activities of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, the Division for Palestinian Rights and the Department of Public Information have taken place in the past has now been deeply affected by the signing of the Israeli-Palestinian agreement on 13 September last in Washington, D.C. As we see it, the moment has come to put the past characterized by confrontation and conflict behind us and to open the door to peaceful coexistence between the Israeli and Palestinian peoples.

In the light of the recent agreement of 13 September, the European Union feels that the mission and composition of the three organs I have just mentioned and which have been entrusted with following the question of Palestine and reporting to Member States and public opinion should be adapted without delay in order to reflect faithfully the speedy evolution of progress made in the peace process. In our opinion, the credibility of our Organization is at stake. It cannot lag behind these important events, which have aroused such hope among the peoples of the Middle East.

Mr. SKOKNIC (Chile) *(interpretation from Spanish)*: In connection with agenda item 35, "Question of Palestine", and with draft resolution A/48/L.44 on the peaceful settlement of the question of Palestine, the Government of Chile wishes to reiterate once again its conviction that Security Council resolutions 242 (1967) and 338 (1973) are the appropriate framework for ensuring both the right of Israel to live within secure and internationally recognized borders and the right of the Palestinian people to establish its sovereign State.

In this context, Chile considers of paramount importance the Middle East peace process begun in Madrid in 1991. We reiterate our pleasure at the historic agreement signed by Israel and the Palestine Liberation Organization in Washington, D.C. last September. It represents significant progress towards the establishment of a broad, just and lasting peace in the region, and the international community should support and uphold it in every way.

The world Organization has a very important role to play in this process for the benefit of international and regional peace and security.

Mr. ABOLHASSANI SHAHREZA (Islamic Republic of Iran): My delegation voted in favour of draft resolutions A/48/L.41, L.42 and L.43. I would, however, like to express my delegations reservations concerning those parts of the draft resolutions that might be construed as any form of recognition of Israel.

My delegation did not participate in the vote on draft resolution A/48/L.44, since we believe that the recent agreements will not lead to the full restoration of the legitimate rights of the Palestinian people.

Mr. AMER (Libyan Arab Jamahiriya) *(interpretation from Arabic)*: My delegation's vote in favour of the resolutions just adopted by the General Assembly under agenda item 35, "Question of Palestine", is not to be construed in any way as implying recognition of those who occupy the territory of Palestine. We wish also to make it clear that our positive vote does not mean that we agree with everything contained in those resolutions.

The United Nations and other international and regional organizations have adopted numerous decisions on the question of Palestine and on the Arab-Israeli conflict. Those decisions, which have been repeatedly reaffirmed by the international community over the past 4 decades, continue to constitute the best framework for a just, comprehensive solution that would lead to the liberation of the occupied Arab territories and enable the Palestinian people to return to its homeland, to exercise self-determination and to establish its own independent State in Palestine, with Al-Quds Al-Sharif as its capital.

To achieve this the international community must continue to adhere to those principles and work to implement them: that is the only guarantee of an end to the plight of the Palestinian people and of real peace in the Middle East.

The continued crimes against the Palestinian people make it imperative that the international community adopt the measures necessary to put an immediate end to those crimes. This is not merely a moral duty and a human duty; it is a clear legal obligation under the Fourth Geneva Convention of 1949.

The PRESIDENT: We have heard the last speaker in explanation of vote after the voting. Now, in accordance with General Assembly resolutions 3237 (XXIX) of 22 November 1974 and 43/177 of 15 December 1988, I call upon the Observer of Palestine.

Mr. AL-KIDWA (Palestine): On behalf of the Permanent Observer Mission of Palestine to the United Nations, I convey our sincere thanks and appreciation to all the Member States that expressed support for the just cause of the Palestinian people by supporting the draft resolutions just adopted by the General Assembly under agenda item 35, "Question of Palestine". I should also like to express particular appreciation to the members of the Committee on the Exercise of the Inalienable Rights of the

Palestinian People and to the Committee's Chairman and the other members of its Bureau.

The General Assembly's adoption today of the four draft resolutions, especially A/48/L.44, entitled "Peaceful settlement of the question of Palestine", is a necessary step in the fulfilment of the permanent responsibility of the United Nations with respect to the question of Palestine until that question is truly solved in all its aspects and a final settlement is genuinely achieved. In adopting the draft resolutions, the General Assembly has upheld the legal, political and moral values long held by the international community.

We regret some surprising votes, and we regret some of the explanations of vote made before the voting, which reflected positions unacceptable to the Palestinian side and which were not in line with the spirit that has prevailed throughout the forty-eighth session. This year, our delegation, in full cooperation with the Group of Arab States and other concerned Member States, made great efforts to revise the traditional set of resolutions annually adopted by the General Assembly. Those revisions were undertaken in the light of the recent important positive political developments that have taken place, while recognizing that those developments deal only with transitional arrangements and not with final settlement issues.

The outcome of our serious efforts was a set of more cohesive resolutions, fewer in number and shorter in length and reflecting the new emerging factors while retaining the positions of principle upon which the resolutions were originally based, principles solidly grounded in the Charter of the United Nations and other international legal standards and instruments.

At this time, let me stress the importance of continuity in the international community's solidarity with and support for the Palestinian people. We also stress the importance of full and effective engagement by the United Nations in the peace process and in providing assistance to our people. We look forward with great hope to the future, and we stand ready to work with others as we jointly strive for a better future and for peace in the Middle East and throughout the world.

The PRESIDENT: The Assembly has concluded the present stage of its consideration of agenda item 35.

AGENDA ITEMS 38 (*continued*) AND 39 (*continued*)

ELIMINATION OF APARTHEID AND ESTABLISHMENT OF A UNITED, DEMOCRATIC AND NON-RACIAL SOUTH AFRICA

(a) REPORT OF THE SPECIAL COMMITTEE AGAINST APARTHEID (A/48/22)

(b) REPORT OF THE INTERGOVERNMENTAL GROUP TO MONITOR THE SUPPLY AND SHIPPING OF OIL AND PETROLEUM PRODUCTS TO SOUTH AFRICA (A/48/43)

(c) REPORTS OF THE SECRETARY-GENERAL (A/48/467 and Add.1, A/48/523, A/48/691)

(d) REPORT OF THE SPECIAL POLITICAL AND DECOLONIZATION COMMITTEE (FOURTH COMMITTEE) (A/48/657)

(e) DRAFT RESOLUTIONS (A/48/L.29, A/48/L.30, A/48/L.31/Rev.1, A/48/L.36)

(f) REPORT OF THE FIFTH COMMITTEE (A/48/788)

UNITED NATIONS EDUCATIONAL AND TRAINING PROGRAMME FOR SOUTHERN AFRICA

(a) REPORT OF THE SECRETARY-GENERAL (A/48/524)

(b) DRAFT RESOLUTION (A/48/L.37)

The PRESIDENT: Members will recall that the General Assembly concluded its debate on these agenda items at its 80th plenary meeting, held on 15 December.

The Assembly will now take a decision on draft resolutions A/48/L.29, A/48/L.30, A/48/L.31/Rev.1, A/48/L.36 and A/48/L.37. The report of the Fifth Committee on the programme budget implications of draft resolutions A/48/L.29, A/48/L.30 and A/48/L.31/Rev.1 is contained in document A/48/788.

We turn first to draft resolution A/48/L.29, entitled "International efforts towards the total eradication of apartheid and support for the establishment of a united, non-racial and democratic South Africa". May I take it that the Assembly decides to adopt draft resolution A/48/L.29?

Draft resolution A/48/L.29 was adopted (resolution 48/159 A).

The PRESIDENT: We turn next to draft resolution A/48/L.30, entitled "Programme of work of the Special Committee against Apartheid". May I take it that the Assembly decides to adopt draft resolution A/48/L.30?

Draft resolution A/48/L.30 was adopted (resolution 48/159 B).

The PRESIDENT: We now turn to draft resolution A/48/L.31/Rev.1, entitled "Work of the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa". May I take it that the Assembly wishes to adopt draft resolution A/48/L.31/Rev.1?

Draft resolution A/48/L.31/Rev.1 was adopted (resolution 48/159 C).

The PRESIDENT: We proceed now to draft resolution A/48/L.36, entitled "United Nations Trust Fund for South Africa". May I take it that the Assembly wishes to adopt draft resolution A/48/L.36?

Draft resolution A/48/L.36 was adopted (resolution 48/159 D).

The PRESIDENT: We turn last to draft resolution A/48/L.37, entitled "United Nations Educational and Training Programme for Southern Africa". I have been asked to announce that there is an additional co-sponsor of this draft resolution - namely, Ukraine.

May I take it that the Assembly decides to adopt draft resolution A/48/L.37?

Draft resolution A/48/L.37 was adopted (resolution 48/160).

The PRESIDENT: In accordance with the decision taken by the General Assembly at its 3rd plenary meeting, on 24 September 1993, I now call on the representative of the African National Congress of South Africa.

Mr. MAKHUBELA (African National Congress of South Africa): On behalf of the African National Congress, let me convey our gratitude to the Member States and to the General Assembly for having succeeded in adopting these resolutions on South Africa.

It is our hope that the just-adopted resolutions will send a clear signal to those who are not willing to participate in the peaceful transformation of South Africa. This is indeed a vindication of the fact that the international community is behind the peace-loving people of South Africa. However, the international community should still exercise a certain leverage in ensuring the peaceful transition in South Africa. It is quite clear that there are those who are not willing to participate in this peaceful transition, and they are doing everything to delay it.

We would also like to take this opportunity to convey our gratitude to the Special Committee against Apartheid, the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa (IGG) and the Commission against Apartheid in Sport for having successfully persuaded the international community to keep the South African issue on the international agenda.

The PRESIDENT: In accordance with the decision referred to earlier, I now call on the representative of the Pan-Africanist Congress of Azania.

Mr. MIYENI (Pan-Africanist Congress of Azania): It is a great honour for me to address this body at the end of its consideration of agenda item 38, entitled "Elimination of apartheid and establishment of a united, democratic and non-racial South Africa".

The international community has remained supportive of the Azanian people through the toughest times of their history. The international community and member States made various contributions to the struggle against colonial apartheid. Most of all we thank the Organization of African Unity for having recognized our liberation movement, thereby opening a gateway for other international organizations to contribute to our struggle against colonial apartheid.

The United Nations made an outstanding contribution to our cause through the Office of the Secretary-General. I take this opportunity to thank Mr. Boutros Boutros-Ghali, the diligent Secretary-General of the United Nations, for his resolve to bring justice and peace to occupied Azania, in pursuance of the relevant resolutions of the General Assembly and the Security Council. My delegation has confidence that his guidance of the United Nations will be in the interest of the oppressed African majority, and all Azanian people.

It has become apparent in recent years that the international community treats the oppressed and the oppressors equally when dealing with the colonial apartheid issue. The international community does not want to recognize who the aggressor is, and to punish that aggressor, it stands most of the time by Mr. De Klerk's side. The international community is continually losing its focus on the real issue and fails to help or stand in solidarity with the oppressed masses. If this trend continues, the emerging new world order will be meaningless for the oppressed peoples of the world. We hope that the Secretary-General, Mr. Boutros Boutros-Ghali, will help us make the United Nations relevant and meaningful to the oppressed majority.

Among the United Nations organs, the most active and visible structure is the Centre against Apartheid. The Centre against Apartheid spearheaded campaigns that isolated South Africa from the international community in various fields - cultural, sports, economic, educational and technological. We thank the staff members of the Centre against Apartheid for their useful and selfless contribution, and we offer special thanks to Mr. Johan Nordenfelt, Head of the Centre against Apartheid.

The Special Committee against Apartheid, composed of several Member States, cannot be left out of these expressions of thanks. Its contribution to the eradication of apartheid is immeasurable. We give special thanks to Nigeria and Guinea, both of which have chaired the Special Committee. Nigeria was Chairman of the Special Committee from 1962 to 1972. Guinea took over from Nigeria in 1972 and was Chairman until 1974. Nigeria again assumed the position of Chairman of the Special Committee against Apartheid in 1974 and continues to be its Chairman. We all are aware, I hope, of Ambassador Ibrahim Gambari's hard work against the forces of apartheid. His work for our freedom is priceless. We also feel deep gratitude to the Nigerian people for having dedicated human resources and time to our cause here at the United Nations. We have shared with the Nigerian people many of their Ambassadors to the United Nations.

Our gratitude extends to the front-line States for the hard work and time they devoted to the meetings at which resolutions were shaped and drafted. This was not always an easy task. The big task of chairing those meetings fell on the shoulders of Zimbabwe, Chairman of the group of front-line States. We thank Ambassador Simbarashe Simbanenduku Mumbengegwi for his wise conduct and counsel during these meetings.

Without the contribution of the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa (IGG), I would not have been able to speak as I am speaking here now. Depriving South Africa of petroleum products has been one of the cornerstones of our struggle against apartheid. We wish to thank all the IGG member States and all the United Nations Member States that respected the oil embargo against South Africa. We extend special gratitude to Ambassador Anthony B. Nyakyi of the United Republic of Tanzania, who was the last Chairman of the IGG.

The Commission against Apartheid in Sports has a task which has a direct impact on the lives of Africans in Azania. Sport was the only activity that has allowed oppressed Azanians to enjoy pleasant times in the midst of all the pain and suffering in the country of their origin. The regime's neglect of sports amongst the African community brought misery to the oppressed people. There is a continued trend of disparity in the promotion of sports and distribution of sports facilities between populations of different composition in Azania. The Commission against Apartheid in Sports is helpful in highlighting and reducing this disparity between different Azanian communities. We thank the Chairman of the Commission, Ambassador E. Besley Maycock, for his work. The Pan-Africanist Congress of Azania is of the view that this Commission should meet as soon as possible to decide on its fate now that changes are under way.

The strength of the foundation of the new society which is being born in Azania will be judged by the level of education in our country. In this regard, I pay tribute to the United Nations Education and Training Programme for southern Africa (UNETPSA) for its vigorous campaign for education in Southern Africa, particularly Azania. The PAC supports the call by the Chairman of the Advisory Committee of UNETPSA, Ambassador Martin Huslid of Norway, who said:

> "I therefore once again ask for the support of the Member States to enable UNETPSA to help meet the demand for education and training opportunities for disadvantaged South Africans in South Africa and abroad." *(Official Records of the General Assembly, Forty-eighth Session, Plenary Meetings, 76th meeting, p. 15)*

The United Nations Trust Fund for South Africa has played a very important role in the education of and legal assistance and relief for Azanian refugees. I hope that this Fund will continue to exist and to receive the support of Member States to help build a new society. We offer special thanks to Sweden, which chairs this Trust Fund.

Throughout our struggle, many contributions were made by what is now the Special Political and Decolonization Committee. Since its formation in 1962 the Decolonization Committee has spearheaded the cause of colonized people throughout the world. Azania is about to join the many other countries to whose freedom from colonialism this Committee has contributed. Indeed, there are 18 more countries that are still under one form or another of colonialism. I pay special tribute to the Special Political and Decolonization Committee, and hope that its purpose will be achieved before the end of the century.

Colonialism in whatever form is unacceptable anywhere in the world. I offer special thanks to the Committee of 24, its Member States and its Chairman, Ambassador Renagi Renagi Lohia of Papua New Guinea.

Finally, we thank the United Nations Member States for their contributions and support for our struggle. We hope they will continue to support us to the very end. The statement of the Ambassador of the United Republic of Tanzania, Mr. Anthony B. Nyakyi, captured the essence of the feelings of the Azanians when he said:

> "It is quite clear that the people of South Africa have high expectations about what the Organization can do to help in the peace process." *(Official Records of the General Assembly, Forty-eighth Session, Plenary Meetings, 78th meeting, p. 14)*

I urge the Assembly not to let us down.

The PRESIDENT: We have thus concluded this stage of our consideration of agenda item 38.

May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 39?

It was so decided.

AGENDA ITEM 40 *(continued)*

THE SITUATION IN CENTRAL AMERICA: PROCEDURES FOR THE ESTABLISHMENT OF A FIRM AND LASTING PEACE AND PROGRESS IN FASHIONING A REGION OF PEACE, FREEDOM, DEMOCRACY AND DEVELOPMENT

(a) REPORT OF THE SECRETARY-GENERAL (A/48/586)

(b) DRAFT RESOLUTION (A/48/L.21/Rev.1)

(c) REPORT OF THE FIFTH COMMITTEE (A/48/789)

The PRESIDENT: Members will recall that the Assembly concluded its debate on this agenda item at its 57th meeting, on 17 November.

The Assembly will now take a decision on draft resolution A/48/L.21/Rev.1. The report of the Fifth Committee on the programme budget implications of the draft resolution is contained in document A/48/789. May I take it that the Assembly decides to adopt draft resolution A/48/L.21/Rev.1?

Draft resolution A/48/L.21/Rev.1 was adopted (resolution 48/161).

The PRESIDENT: May I take it also that it is the wish of the Assembly to conclude its consideration of agenda item 40?

It was so decided.

AGENDA ITEM 56

RESTRUCTURING AND REVITALIZATION OF THE UNITED NATIONS IN THE ECONOMIC, SOCIAL AND RELATED FIELDS

(a) REPORT OF THE SECRETARY-GENERAL (A/48/639)

(b) DRAFT RESOLUTION (A/48/L.33)

(c) REPORT OF THE FIFTH COMMITTEE (A/48/790)

The PRESIDENT: May I take it that the General Assembly takes note of the report (A/48/639) of the Secretary-General?

It was so decided.

The PRESIDENT: I call on the representative of Benin to introduce draft resolution A/48/L.33.

Mr. MONGBE (Benin) *(interpretation from French)*: On 1 November last year, Sir, you did me the signal honour of putting my name forward for the chairmanship of the open-ended Working Group responsible for working on the restructuring and revitalization of the economic, social and related sectors of the United Nations. Today I have the pleasure of informing you of the results of the serious and determined negotiations conducted by the Working Group with a view to finding a way out of the deadlock that had been reached on 25 June 1993.

Before I turn to the contents of draft resolution A/48/L.33, which is the result of the combined efforts and the expression of the political will of the delegations of the Member and Observer States of our Organization, allow me to pay tribute to all those who have given so exceptionally freely of themselves in reviving the negotiations after they had come up against a wall of mutual incomprehension on the part of the various interested parties last summer.

The first person I wish to mention is Mr. Boutros Boutros-Ghali, Secretary-General of the United Nations, who on 29 July, at the high-level segment of the substantive session of the Economic and Social Council in Geneva, most movingly described how serious the situation of our Organization would be unless this longed-for restructuring and revitalization took place. I should also like to mention Ambassador Juan Somavia of Chile, President of the Economic and Social Council, who prevailed upon the Bureau of the Council to write to the President of the General Assembly recommending that the matter should be taken up again, although its essential element - draft resolution A/47/L.58 - no longer had a sponsor.

Your predecessor as President, Mr. Ganev, subsequently conducted the negotiations with courage and wisdom. They resulted in a revised version of the previous draft resolution, which appeared as document A/47/L.58/Rev.1. The essential difference between the two versions lies in the size of the governing bodies of the various funds and programmes concerned with operational development activities. In substance, draft resolution A/47/L.58/Rev.1 comprises a proposal from the Group of 77, admirably led by Ambassador Luis Fernando Jaramillo of Colombia.

Despite the commendable efforts of President Ganev, the negotiations were to reach a deadlock again, since not all delegations were satisfied with the new text. That was the stage that had been reached when the forty-seventh session of the General Assembly came to an end on 20 September 1993.

Chronologically speaking, the next person who deserves particular praise is you yourself, Sir, since, in your capacity as President of the forty-eighth session of the General Assembly and as a man concerned to save our Organization in the economic, social and related fields, which are all so vital, you decided to take the matter up again.

The intensive consultations you organized and conducted with great patience and perspicacity led you to decide to establish an open-ended Working Group to re-examine the question with a precise and useful mandate, which may be summed up as follows: to reconsider the matter of restructuring and revitalizing the economic, social and related sectors of the United Nations, taking into consideration the composition, role and functioning of the governing bodies of funds and programmes concerned with operational development activities.

The Working Group, which you, Mr. President, were so kind as to entrust to my chairmanship, completed its task on Monday, 29 November, in a friendly atmosphere. I am therefore introducing the following draft resolution, which was largely put together at the last session by my friend Ambassador Ramiro Piriz Ballon of Uruguay. I should here like to express to him my great admiration and acknowledgement.

As members will note, draft resolution A/48/L.33 comprises, in addition to the main text, two annexes - the first dealing in detail with the further measures for the rationalization and revitalization of the United Nations in the economic, social and related fields and the second concentrating on the division of labour between the General Assembly and the Economic and Social Council.

In terms of institutional reforms, annex I allows for a clear distinction between the functions of the Assembly and those of the Council on matters relating to the economic, social and related fields. It reiterates the fact that the Assembly is the highest intergovernmental mechanism for the formulation and appraisal of policy on such matters and strengthens the coordinating role of the Economic and Social Council.

It stipulates additional measures that will significantly revitalize the Council and its high-level segment, its coordination segment and what will now be called the "Operational activities of the United Nations for international development cooperation segment". It also proposes the establishment of a segment under which the Council will supervise the activities of its subsidiary bodies.

The scope of the new operational activities segment has been enlarged and its functions fine-tuned. The Economic and Social Committees of the Council, as we have known them, will cease to exist as of 1994 and will be subsumed into the plenary. All this is to ensure not only a more effective round of deliberations, but also to allow the Council to focus its attention on its coordination role and on the work of its subsidiary bodies.

This annex also establishes new Executive Boards of identical size and composition to replace the current governing bodies of the United Nations Development Programme (UNDP), the United Nations Fund for Population Activities (UNFPA) and the United Nations Children's Fund (UNICEF).

These 36-member Boards will be under the authority of the Council and will report directly to it. Their specific functions, the frequency of their meetings and the right of participation in their deliberations are carefully spelled out in section 3 of annex I. Similar, eventual arrangements are envisaged for the Committee on Food Aid Policies and Programmes of the World Food Programme (WFP), as mentioned in paragraph 30.

Taking into account the standardization decided upon regarding the membership of the various Executive Boards of the subsidiary bodies concerned with operational activities for development, and following the consultations held by my predecessor, Mr. Ramiro Piriz Ballon, and myself, Japan should henceforth be considered as being among the Group of Western European and Other States - whose members are already the main donors - as far as eligibility in those Executive Boards is concerned.

The need for a separate Executive Board for the UNFPA will be considered following the International Conference on Population and Development, to be held in Cairo in 1994.

Reference to the question of the membership of each Executive Board is made in paragraph 25, where it is emphasized that the most effective and broadest participation should be ensured.

In this connection, elections to the Executive Boards ought to take into account existing arrangements, systems or methods of representation, or others to be formulated with this in mind by the regional groups.

The establishment of such mechanisms within the regional groups where these mechanisms do not yet exist, or the strengthening or improvement of such machinery where it does exist, should be encouraged.

Each Executive Board shall meet in an annual substantive session at such times as it determines.

The regular meetings of the Boards, which shall take place between the annual sessions, shall be held at premises of the headquarters of the respective organizations when such premises have the facilities to accommodate such meetings, including adequate interpretation facilities. The right of participation in the Board's deliberations, without the right to vote, shall also be reserved to a Member State when its country programme is under consideration. The Executive Boards may also invite States members of the respective funds and programmes, and participants who express a special interest in the item or items under consideration, to participate in the deliberations without the right to vote, out of respect for the principle of universality so cherished by the United Nations system.

The Assembly will note that this annex also refers to resources for operational activities. In this connection, and with a view to making possible the establishment of a new funding system, the Secretary-General is requested to review and analyse possible changes and improvements in the present funding system and to submit a report with his recommendations in April 1994. Intergovernmental consultations on the matter are envisaged for the month of May 1994.

With respect to the ongoing process of reform in the Secretariat, the Secretary-General is requested to submit an additional report examining ways and means of enhancing the reporting modalities in the economic, social and related fields. This report would be made available to the Economic and Social Council at its 1994 substantive session and should include recommendations on the establishment of a system of integrated reports.

Draft resolution A/48/L.33 calls for a review in 1995. It may be worth noting that the text before the Assembly carefully delineates what kind of review should be undertaken, making it clear that this represents a critical step forward in the ongoing reform process.

Annex II contains provisions that will change fundamentally the methodology of work of the plenary and Second Committee of the General Assembly and of the Economic and Social Council.

The intention is to continue the rationalization of the work of those bodies by clustering the consideration of major issues in the economic, social and related fields around a limited number of agenda items and sub-items. The steps taken so far for the restructuring and revitalization of the United Nations in those fields, pursuant to General Assembly resolutions 45/264 and 46/235, including the creation of the high-level, coordination and operational activities segments of the Council's annual substantive session, are thus complemented and strengthened.

Several specific aspects of the division of labour between the Assembly and the Council deserve mention.

First, as I mentioned earlier, the two Committees of the Council are subsumed into the plenary.

Secondly, the items for the agenda of the substantive session of the Council are enumerated, as are the items to be considered by the Second Committee of the General Assembly.

Thirdly, in order to strengthen the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance, all assistance questions are to be considered in the plenary of the General Assembly. Draft resolutions on those questions would be dealt with in informal consultations.

The far-reaching, beneficial consequences of the adoption of draft resolution A/48/L.33 for the intergovernmental machinery cannot be overemphasized. By enhancing the complementarity of the work of the General Assembly, the Economic and Social Council and their subsidiary bodies, the draft resolution would reduce the present overlap and unnecessary, indeed harmful, duplication of the work, the debates and the agenda items of those two organs and their subsidiary bodies.

The adoption of this carefully negotiated package of reforms would bring about further revitalization of the Economic and Social Council and would clearly delineate lines of responsibiiity and communication between the Council and the Executive Boards, as well as a far more effective division of labour throughout the system.

The Working Group could never have accomplished its task if the various delegations, interest groups and regional groups had not demonstrated unflagging vigour, patience and good will in bringing the political will of States to bear on the task of making the world Organization more effective, more efficient and better able to respond to the challenges of our time.

This is the place and time for me to express my gratitude to all those who took part in the work of the Group, sparing no effort - even the effort of overcoming the drowsiness and fatigue induced by some of our night meetings. I shall never forget the time we spent together, sometimes tense, but always marked by frankness and courtesy.

I could never find words adequate to thank everyone who in one way or another provided direct, personal assistance to me, any more than I could cite them all by name. But let me single out for special mention Ms. Irene Freudenschuss-Reichl of Austria, who did such excellent work in presiding over the drafting committee, which often helped me find consensus texts.

I also thank the members of the secretariats of the Economic and Social Council and the Second Committee, who were generous enough to put their skill and dedication at the disposal of the Working Group.

Finally, I sincerely thank the representatives of subsidiary bodies, the United Nations Development Programme, the United Nations Children's Fund, the United Nations Fund for Population Activities and the World Food Programme for their very useful technical advice.

In conclusion, on behalf of Benin, I recommend the adoption by the General Assembly without a vote draft of resolution A/48/L.33, on the restructuring and revitalization of the United Nations in the economic, social and related fields.

I wish everyone a Merry Christmas and a Happy New Year.

The PRESIDENT: The Assembly will now take a decision on draft resolution A/48/L.33. The report of the Fifth Committee on the programme budget implications of the draft resolution is contained in document A/48/790. May I take it that the General Assembly decides to adopt the draft resolution by consensus?

Daft resolution A/48/L.33 was adopted (resolution 48/162).

The PRESIDENT: I shall now call on those representatives who wish to speak in explanation of position. May I remind delegations that explanations of vote or position are limited to 10 minutes and should be made by delegations from their seats.

Mr. PORTOCARERO (Belgium) *(interpretation from French):* I have the honour of addressing the General Assembly on behalf of the European Union.

The resolution we have just adopted, supplemented by important annexes, resulted from a long and often delicate negotiating process. We welcome the results achieved and thank all those who played an active role in them. In particular, we thank Ambassador Mongbe of Benin, who guided our work in its final stages and whose personal efforts went a long way towards helping us reach consensus.

During the negotiations we had many opportunities to express our views on the restructuring, but let me now recall that we see this as an evolutionary process. We have laid down the principal guidelines, leaving the parties in the system with enough flexibility to implement reforms appropriate to their specific situations. In the next stages of the process, we shall be addressing the methods of work of the Executive Boards and engaging in consultations on questions of financing.

Having charted the road we are to travel, we hope to have made a contribution, especially with respect to the operational sector, to a better managed, better-performing system. It will be up to us as Member States, donors and beneficiaries alike, to provide the necessary follow-up to what we have just adopted, and we are ready to work closely with the relevant secretariats to that end. It is clear that, without new methods of work, the impact of institutional reform will be considerably diminished.

Hence, in the Executive Boards we shall continue our efforts at rationalization.

Several aspects of the reform concerning the United Nations Development Programme (UNDP) are of particular relevance to us. We reaffirm our commitment to the Programme as a vital element of the United Nations operational system. I echo Ambassador Mongbe in stating our commitment to the principle of alternating the annual sessions of the UNDP Governing Council between Geneva and New York. Furthermore, nothing in the reforms we have just adopted prejudges future utilization of the various official languages of the United Nations in accordance with the rules of the Governing Council. Both of those elements are essential to the universal nature of UNDP, and we shall bear them in mind whenever we work to define the principles governing reform.

With this resolution we are also undertaking substantive reform of the functioning of the Economic and Social Council and a needed revision of the agenda of the Second Committee. We are convinced that the reform of the Economic and Social Council will give the Council its proper place as a Charter organ; this had been jeopardized by the poor functioning of the Council. By making use of the various sectors as appropriate, we will be able to sharpen the focus of our debates, thus helping enhance the visibility and credibility of the United Nations in these sectors. We reaffirm our commitment to respecting the balance between economic and social issues. Here, the Secretariat's proposals on the division of working time in the Council's substantive sessions are the least we can implement.

With respect to the agenda of the Second Committee, we hope that the more transparent, logical structure we have outlined will enable us to rationalize the Committee's functioning to a large extent.

Mrs. ***MENENDEZ*** (Spain) *(interpretation from Spanish):* My delegation wishes first to state its complete support for the comments just made by the representative of Belgium on behalf of the European Union. Let me also say how pleased we are that draft resolution A/48/L.33 was adopted by consensus following long and difficult negotiations.

In this respect we congratulate Ambassador Mongbe, the Permanent Representative of Benin, on his work as Chairman of the Ad Hoc Group on the restructuring and revitalization of the United Nations in the economic, social and related fields.

It is clear that, as with any compromise text, the resolution just adopted, by its very nature, suffers from a certain lack of precision. We are particularly concerned about paragraph 27 of annex I, which states:

> "The regular meetings of the Boards, which shall be held between the annual sessions, shall be held at the premises of the headquarters of the respective organization as of the date when such premises are rendered possible to accommodate such meetings."

The headquarters of the United Nations Development Programme, the United Nations Children's Fund and the United Nations Population Fund do not at present have adequate facilities to host such meetings. It is our understanding, therefore, that until the interpretation and document distribution services in all the official languages of the United Nations can be made available such meetings cannot be held at those headquarters.

Spain firmly supports the process of reform, restructuring and revitalization in the economic and social fields. We cannot, however, agree to its being carried out at the cost of failing to use all the official languages of the United Nations, without which neither the desirable understanding between delegations nor the transparency of our discussions can be guaranteed.

Mr. ***RAMIREZ*** (Colombia)*(interpretation from Spanish):* On behalf of the Group of 77 and the People's Republic of China I should like to reiterate our support for the text of the resolution we have just adopted. Given the delicate balance of interests that the text has sought to reflect, it is essential to make clear how the Group of 77 and the People's Republic of China view the scope of the following elements of the resolution.

First, the reference to annual sessions of the Executive Boards is to substantive meetings, where decisions relating to the functions set out in the resolution will be taken.

Secondly, it is our understanding that the resolution gives a mandate for the Funds and Programmes to adapt their premises to make available to Member States the necessary facilities for the Boards to meet at their respective headquarters. That means providing room for the 36 principal members and observer States that wish to be present at the sessions. The facilities should allow the use of all the official languages, as provided in the present rules of procedure.

Thirdly, the presence of observers at meetings of Executive Boards is a sovereign right of members of Funds and Programmes. For that purpose, all members should receive timely notice of the agendas and scheduling of meetings.

Fourthly, we adopted the resolution on the understanding that observers wishing to make statements could express their wish to do so to the Boards. In practice, that expression of interest should be sufficient for the Boards to consider it and authorize the observers to contribute to the discussion in which they have expressed a special interest.

Lastly, we should like to point out that an essential part of the resolution is the requirement that decision-making procedures be maintained unchanged.

Mr. AL-SAMEEN (Oman)*(interpretation from Arabic)*: On behalf of the Group of Arab States, over which it is my country's honour to preside this month, I support the statement made by the representative of the Group of 77.

I, too, should like to make a few comments about this agenda item and the provisions of paragraph 27 of annex I of the resolution we have just adopted. We would emphasize the need for the appropriate organization of sessions of the Economic and Social Council and meetings of the Executive Boards of the Funds, and Programmes on their activities, as well as those of other United Nations bodies and organs, including inter-session meetings.

We would also emphasize the important need to provide interpretations and translations in Arabic, because it is both an official language and a working language of the United Nations, along with other languages. In this connection, we call for the full and effective implementation of rules 51, 52, 54 and 56 of the rules of procedure of the General Assembly, as well as of later amendments adopted by the Assembly on 31 December 1984.

We joined in the consensus adoption of the resolution. However, we must emphasize the need to use Arabic at the headquarters of the Executive Boards in order to facilitate the participation of Arab delegations in their work.

Lastly, I would re-emphasize the need to make Arabic one of the languages to be used in the headquarters of all the Boards. Statements referring to the rationalization of expenses are unrealistic. Such rationalization could have a negative effect on the outcome of meetings owing to a lack of interpretation.

Mr. KÄÄRIÄ (Finland): On behalf of the Nordic countries, I should like first to thank Ambassador Mongbe of Benin for the work he did as Chairman of the Working Group established by you, Mr. President, and congratulate him on guiding the process to a successful conclusion. In the same vein, I should like to thank Ambassador Piriz-Ballon of Uruguay, who guided the process during the forty-seventh session of the General Assembly. Last, but not least, let me thank Mr. William Ehlers of Uruguay, who dedicated so much of his time to the endless hours of informal consultations at last year's session.

The Nordic countries welcome the consensus on the restructuring and revitalization of the economic, social and related sectors of the United Nations reached in the Ad Hoc Working Group established by you, Sir. The result does not meet the expectations the Nordic countries had for the reforms, particularly for the governance and financing of the United Nations operational activities for development. But it is a first step in the right direction in a process that we see as ongoing. Therefore, and in the spirit of compromise, the Nordic countries were able to support the resolution that has just been adopted.

This stage of the reform process, which was given political impetus at the High-Level Session of the Economic and Social Council in 1992, took almost one and a half years to complete. During that period delegations were engaged in very detailed discussions on the substance of the reforms. This, in our view, should facilitate the implementation of the resolution, because there should be no ambiguity as to how the text before us should be interpreted.

The resolution clarifies the roles and division of labour between the General Assembly, the Economic and Social Council and the new governing Bodies of the Funds and Programmes of the United Nations. It gives the Economic and Social Council a more dynamic role in providing policy guidance to the operational agencies for development in the implementation of the policies laid down by the General Assembly, and underlines its role in providing coordination to the United Nations system.

As to the new executive boards for the funds and programmes, the agreement reached will make it possible to increase the efficiency of governance while taking into account the need for universality and representation.

The concerns of a number of small countries about their opportunities of participating in the work of the executive boards, which stalled the process last June, have been taken into account in the present agreement. To that end, it was agreed that, in addition to the regular meetings of each board during the year, a short annual meeting would be arranged that would be open to all member States of the respective funds and programmes. In addition, and as a compromise, the size of the boards was increased from 30 to 36.

On the other hand, the participation of non-members of the boards in the deliberations of the boards is now made possible on an exceptional basis only, and provided that the board itself agrees to granting a non-member the opportunity of making a statement. However, the right of participation is always reserved to the country whose programme is under consideration.

The Nordic countries have all along stressed the link between governance and financing and are therefore looking forward to the consultations in May next year on the reform of the financing mechanisms of the funds and programmes. We are also looking forward to discussing further reform steps in the same direction during the comprehensive review process, which has been advanced to 1995.

Mr. FERNANDEZ DE COSSIO DOMINGUEZ (Cuba) *(interpretation from Spanish):* At the outset, I should like to note that my delegation fully supports the statement just made by the representative of Colombia on the behalf of the Group of 77.

The Cuban Government, as a member of that Group, has joined, with serious reservations, the consensus on the package before us today on the restructuring and revitalization of the United Nations in the economic and social fields.

We agree that the negotiating effort over the past year has yielded a set of measures that are certainly capable of improving our deliberative working mechanisms in the Second Committee and in the Economic and Social Council, although this in no way guarantees the necessary improvement in the provision of assistance from funds and programmes.

At the same time, and as part of the package, a decision - an unjust decision, in our opinion - has been taken to reduce the membership of the governing bodies of the assistance programmes and funds. Cuba, as a member of the Group of 77, has accepted this measure because of the open threats made that there would be a substantial reduction in the resources of the funds and programmes if the developing countries did not agree to this reduction in membership. Everyone here is aware that the purpose of restricting participation in the governing bodies has nothing to do with efficiency and that the developing countries have repeatedly rejected that argument.

This decision has been taken under the pressure of a constant threat to resources. Such pressure is inappropriate in this forum and is contrary to the democratic principles of the Organization. That is why it is my delegation's understanding that the review process described in paragraphs 37 and 38 of annex I to the resolution should provide for an automatic return to the current membership of the governing bodies of the funds and programmes if assistance resources are not increased substantially by the date established for the review, thereby proving that the argument about efficiency is only a pretext to decrease contributions to the funds and programmes and, at the same time, to reduce the participation of the developing countries in their administration.

As for the contents of paragraph 27 of annex I to the resolution, it is Cuba's understanding that they in no way restrict the open-ended nature of the deliberations of the executive boards, on the basis of the present rules of procedure, or the opportunity for observers to participate in the negotiations by speaking in any of the official languages of the United Nations.

Cuba intends vigorously to defend its rights relating to these issues.

Mr. JUILLARD (France) *(interpretation from French):* The French delegation fully agrees with the statement made by the representative of Belgium on behalf of the European Union. We should like to point out that the forthcoming extrasessional meetings of the Executive Boards of the United Nations Development Programme (UNDP) and the United Nations Children's Fund (UNICEF) at their headquarters should in no way lead to a reduction or the elimination of conference services supplied so far to the Executive Boards of those two organizations. If it were to appear that the convening of these meetings at the headquarters of UNDP and UNICEF might in any way jeopardize the provision of such services, those meetings should not be held.

Mr. SINON (Malaysia): My delegation wishes to express its support for draft resolution A/48/L.33 and for the statement just made by the representative of Colombia on behalf of the Group of 77 and China.

My delegation wishes, however, to re-emphasize the need to ensure that the work of the executive boards of the programmes and funds of the United Nations continues to be representative, transparent and universal and to facilitate the full and effective participation of all member States. In this regard, my delegation's understanding of paragraph 27 of annex I to the resolution is that all Member States that are not members of an executive board will continue to be allowed to participate as observers, unencumbered and unrestricted. If that is not the case, my delegation would like to place on record its reservations with respect to paragraph 27.

With the agreement reached in this resolution, it is my delegation's understanding that there will be a substantial increase in resources made available to the development activities of the United Nations, in particular with regard to the full and immediate fulfilment of the commitment to provide 0.7 per cent of gross national product to official development assistance. This agreement should serve as a further step towards the fulfilment of that obligation.

Mr. MARRERO (United States of America): I should like to associate my delegation with the comments of previous speakers who have commended the outstanding work of Ambassador Piriz Ballon of Uruguay and Ambassador Mongbé of Benin in securing agreement on the resolution that has just been approved. We fully support this measure and believe that it represents an important improvement in the work of the General Assembly, the Economic and Social Council and the development programmes and funds.

We look forward to the work to be done in the coming year in implementing this resolution and to the continuing process of reform in the United Nations.

The PRESIDENT: I should like to say a word of special thanks to the Ambassador of Benin, who, at my request, undertook very extensive and very delicate consultations, which, happily, have resulted in the resolution that has just been adopted by consensus. My appreciation extends to those who helped to make the negotiations a success. I am deeply indebted to all of them - especially to the delegation of Uruguay, which did much preparatory work.

May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 56?

It was so decided.

The meeting rose at 8.15 p.m.

ANNEX

Changes in recorded and/or roll-call votes

Resolution 48/92

Subsequent to the voting, the delegation of Madagascar advised the Secretariat that it had intended to vote in favour.

Resolution 48/94

Subsequent to the voting, the delegation of Madagascar advised the Secretariat that it had intended to vote in favour.

Resolution 48/145

Subsequent to the voting, the delegations of Chad and Samoa advised the Secretariat that it had intended to vote in favour.

Resolution 48/147

Subsequent to the voting, the delegation of Samoa advised the Secretariat that it had intended to vote in favour.